

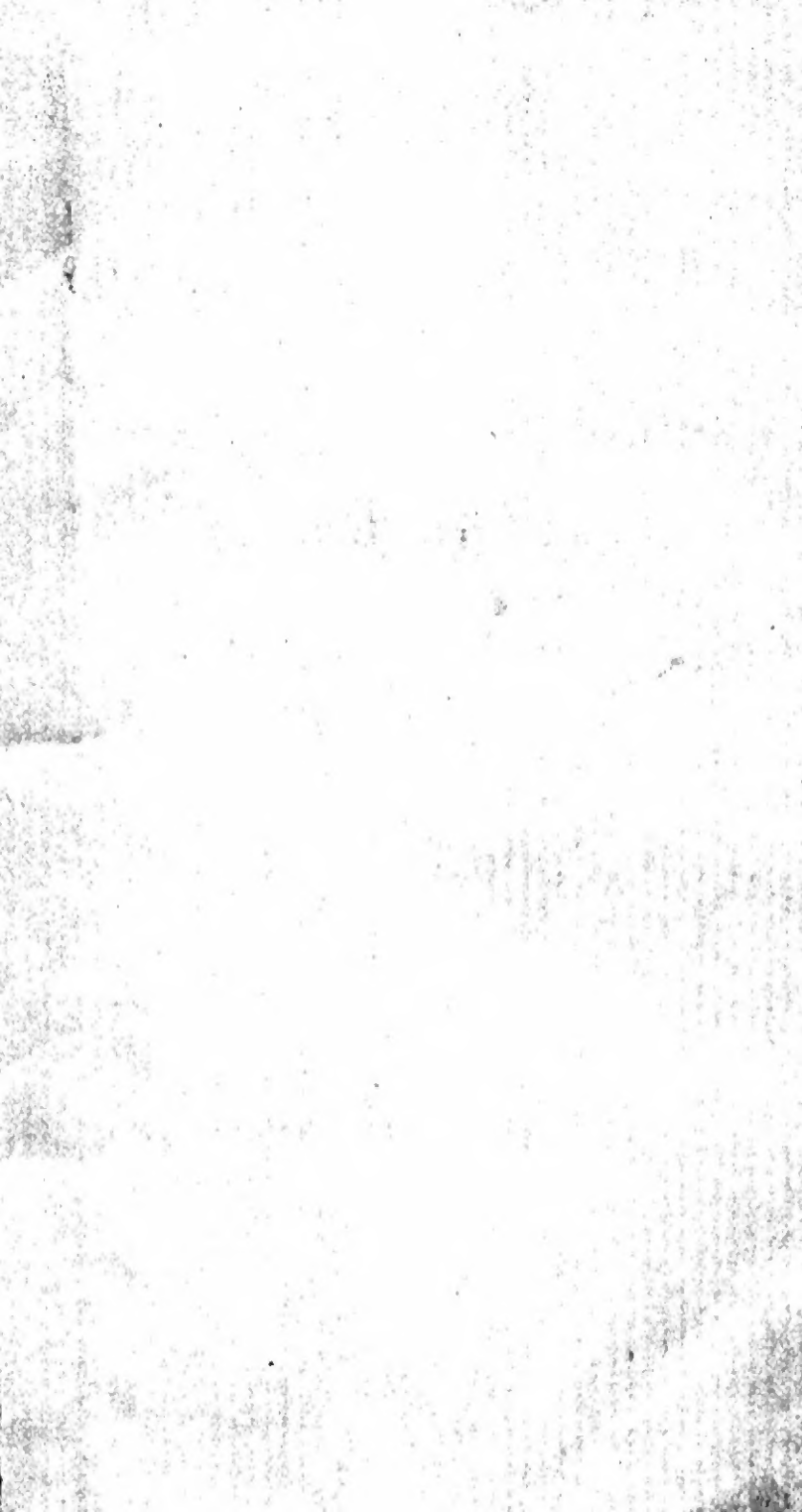
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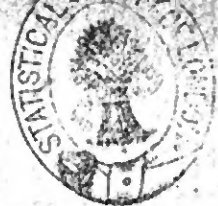
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# CONTENTS OF VOL. XV.—YEAR 1883.

NO.			PAGE
179.—1883.	Jan. 15.	W. MARTIN WOOD.—Indian Public Works' Finance, Exchanges, and Loans ; a Problem, a Paradox, and a Solution ... ..	1
180.—1883.	Feb. 7.	M. D. DADYSETT and N. S. GINWALLA.—Social Intercourse between Europeans and Natives in India ... ..	54
		PETITION from Bombay Branch to House of Commons, relative to the Egyptian War Expenses	86
		MEMORIAL to Secretary of State for India against India contributing to the expenses of the Egyptian Expedition ... ..	88
		LETTER to Secretary of State for India seeking the repeal of the Import Duty on Gold and Silver Plate, and reply thereto ... ..	89
		MEMORIAL to Secretary of State for India relative to Public Instruction—Local Self-Government—Encouragement of Native Manufacturers—Egyptian War Expenses ... ..	90
181.—1883.	May 18.	H. G. KEENE, C.I.E., M.R.A.S.—Liberal Principles in India ... ..	93
182.—1883.	May 28.	ANNUAL MEETING ... ..	133
		REPORT, 1882-83 ... ..	141
		ANNUAL MEETING of the Bombay Branch ... ..	157
		PETITION from Bombay Branch to Her Majesty praying for an extension of The Marquis of Ripon's term of Viceroyalty ... ..	162
183.—1883.	June 1.	Miss FLORENCE NIGHTINGALE.—The Dumb shall speak, and the Deaf shall hear ; or, The Ryot, The Zemindar, and the Government ... ..	163
		OBITUARY NOTICES—	
		Mr. Edward Backhouse Eastwick, C.B., M.A. ... ..	239
		Mr. John Bruce Norton, M.A. ... ..	241

NO.			PAGE
184.—1883.	June 13.	ROBERT H. ELLIOT.—Is the attempt to pass The Indian Criminal Jurisdiction Bill calculated to promote the Public Interests and the Welfare of the Inhabitants of India generally ... ..	243
185.—1883.	June 27.	ROBERT H. ELLIOT.—Adjourned Meeting: Is the attempt to pass The Indian Criminal Jurisdiction Bill calculated to promote the Public Interests and the Welfare of the Inhabitants of India generally...	274
186.—1883.	July 4.	SIR WILLIAM WENNERBURN, BART.—The Poona Raiyats' Bank: a Practical Experiment ... ..	325
		ADDRESS presented by the Bombay Branch to Sir Evelyn Baring, B.A., K.C.S.J., C.I.E. ... ..	367
187.—1883.	July 30.	D. S. WHITE.—Eurasian and Anglo-Indian Grievances ... ..	375
		DAVID SUTHERLAND.—The Grievances of the East India Community ... ..	381
		REV. JAMES LONG.—East Indians, their position and prospects ... ..	412
188.—1883.	Oct. 31.	ROPER LETHBRIDGE, C.I.E.—The Mischief threatened by the Bengal Tenancy Bill ... ..	445

# CONTENTS OF PREVIOUS VOLUMES.

## VOL. I.—YEAR 1867.

NAME.	SUBJECT.
	The First Annual Meeting.
LORD LYVEDEN ... ..	Address accepting the Presidentship of the Association.
DADABHAI NAOROJI ... ..	England's Duties to India.
	Lord Cranbourne's Bonus Compensation Despatch of the 8th of August, 1866.
	Deputation to Sir Stafford Northcote (to explain the effect of the General Order published by the Calcutta Government upon Lord Cranbourne's Bonus Compensation Despatch of the 8th of August, 1866).
LIEUT.-GEN. SIR A. COTTON, K.C.S.I.	Irrigation and Water Transit in India.
	Adjourned Annual Meeting.
DADABHAI NAOROJI ... ..	Mysore.
W. C. BONNERJEE ... ..	Representative and Responsible Government for India.
COLONEL G. HALY ... ..	The Fisheries of India.
	The Admission of the Natives of India into the Indian Civil Service.
	Deputation to Sir Stafford Northcote on the above subject.

## VOL. II.—YEAR 1868.

W. C. BONNERJEE ... ..	Reform of the Hindu Marriage Laws.
DADABHAI NAOROJI ... ..	The Expenses of the Abyssinian War.
	Presentation of an Address to Sir Barth Frere, G.C.S.I., K.C.B.
LIEUT.-GEN. SIR A. COTTON, K.C.S.I.	The Opening of the Godavary River.
P. M. MEHTA ... ..	The Educational System in the Presidency of Bombay.
COLONEL G. HALY ... ..	The Capabilities of the Hill Ranges of India, and Coffee and Tea Planting on them.
CAPTAIN R. A. CHADWICK ... ..	The Furlough Regulations of the Indian Army.
EDWARD B. EASTWICK, M.P. ... ..	The Representation of India in the Imperial Parliament.
MAJOR EVANS BELL ... ..	Claims of the Natives of India to a Share in the Executive Government of their Country.
P. M. TAIT ... ..	The Population and Mortality of Calcutta.
THOS. BRIGGS ... ..	Proposal of an Indian Policy under the New Reform Parliament.

## CONTENTS OF PREVIOUS VOLUMES.

NAME.	SUBJECT.
ROBT. KNIGHT ... ..	India: a Review of England's Financial Relations therewith.
LIEUT.-GEN. SIR A. COTTON, K.C.S.I.	The Opening of the Godavery River. (Adjourned Discussion).
MISS CARPENTER ... ..	Education and Reformatory Treatment.
LORD WILLIAM HAY ... ..	The Mysore Succession.
DADABHAI NAOROJI ... ..	Reply thereto. Annual Meeting.
DADABHAI NAOROJI ... ..	The Duties of Local Indian Associations.

## VOL. III.—YEAR 1869.

	Memorial on the Importance of Irrigation in India to the newly appointed Viceroy, the Earl of Mayo.
	Discussion on Indian Irrigation Works.
	Deputation to the Duke of Argyll on the above subjects.
F. LOGIN, C.E. ... ..	The Material Improvement on India.
W. BOWDEN, jun. ... ..	Agricultural Condition and Prospects of the Godavery District (Madras Presidency, East India), with especial reference to Irrigation and Navigation Works.
LORD STANLEY OF ALDERLEY ...	The Establishment of a "Mussafir-Khaneh" or "Guest-house" for Asiatics in London.
MAJOR-GENERAL SIR V. RYER, K.C.S.I.	A Retrospect of the Afghan War, with Reference to Passing Events in Central Asia.
DADABHAI NAOROJI ... ..	Lecture at Bombay on the Work of the East India Association.
	Report of a Meeting held at Bombay for the Consideration of the Desirability of Forming a Bombay Branch of the East India Association.
	The Annual Meeting.
	The Annual Report, 1868-9.
DADABHAI NAOROJI ... ..	Paper communicated on the Indian Civil Service Clause in the Governor-General of India Bill.
P. M. TAIT ... ..	The Population and Mortality of Bombay.
DADABHAI NAOROJI ... ..	On the Admission of Educated Natives into the Indian Civil Service.
HYDE CLARKE ... ..	On Transport in India in reference to the Interest of England and India.
GEORGE SIMMONS, C.E. ... ..	The Advantages of Encouraging the English Language to become the Colloquial Tongue.
ROBERT H. ELLIOT ... ..	The Beneficial Effects of Caste Institutions.
DADABHAI NAOROJI ... ..	The Bombay Cotton Act of 1869.

## VOL. IV.—YEAR 1870.

LIEUT.-GEN. SIR A. COTTON, K.C.S.I.	The Proposed Additional Expenditure of £100,000,000 on Railways in India.
-------------------------------------	---

# CONTENTS OF PREVIOUS VOLUMES.

vii

NAME.	SUBJECT.
DR. A. GRAHAM ... ..	The Industrial Settlement of Europeans in the Hilly Climates of India.
I. T. PRICHARD... ..	The Relations between the Native States and the British Government.
	Rules and Regulations for Indian Services, in reference to Competitive Examinations, Appointments, Agreements with Government, Furlough, &c., &c.
P. M. MEHTA ... ..	The Grant-in-Aid System in the Presidency of Bombay.
LIEUT.-COLONEL J. C. PHILLIPS ...	The Bonus System in the Indian Army.
WILLIAM TAYLER ... ..	The Delay of Justice to Indian Appellants in England: its Causes, Consequences, and Possible Remedy.
LIEUT.-GEN. SIR A. COTTON, K.C.S.I.	The Proposed Additional Expenditure of £100,000,000 on Railways in India. (First Adjourned Discussion.)
	The Annual Meeting.
	The Annual Report
LIEUT.-GEN. SIR A. COTTON, K.C.S.I.	The Proposed Additional Expenditure of £100,000,000 on Railways in India. (Second Adjourned Discussion.)
I. T. PRICHARD ... ..	The Relations between the Native States and the British Government. (Adjourned Discussion.)
MISS CARPENTER ... ..	The Work done by her for Female Education in India.
W. S. FITZWILLIAM ... ..	The Present and Future Product of Cotton in India compared with that of America and other Cotton-producing Countries.
MAJOR EVANS BELL ... ..	Is India a Conquered Country? and if so, What then?
I. T. PRICHARD ... ..	Indian Finance.
SIR BARTLE FRERE ... ..	Public Works in India.
SIR BARTLE FRERE ... ..	Adjourned Discussion.
DADABHAI NAOROJI ... ..	The Wants and Means of India.
SIR CHARLES TREVELYAN ... ..	The Finances of India.

## VOL. V.—YEAR 1871.

DR. TH. GOLDSTUCKER ... ..	The Deficiencies in the Present Administration of Hindn Law.
PHEROZESHAH M. MEHTA ... ..	The East India (Laws and Regulations) Bill, Clause 6.
	That Act in <i>extenso</i> .
DADABHAI NAOROJI ... ..	The Commerce of India.
SIR CHARLES TREVELYAN ... ..	The Finances of India.
	Petition to House of Commons praying for Select Committee to Inquire into the Financial and General Administration of India.
WILLIAM TAYLER ... ..	Popular Education in India.
SIR JAMES ELPHINSTONE ... ..	Ship Canal between India and Ceylon.

## CONTENTS OF PREVIOUS VOLUMES.

NAME.	SUBJECT.
	Deputation to His Grace the Duke of Argyll, K.T., Secretary of State for India, on that subject.
	The Annual Report.
DADABHAI NAORJI ... ..	Financial Administration of India.
SIR BARTLE FREER ... ..	The Means of Ascertaining Public Opinion in India.

## VOL. VI.—YEAR 1872.

I. T. PRICHARD ... ..	The Representation of India in Parliament.
HYDE CLARKE ... ..	The Progressive Capabilities of the Natives of India in reference to Political and Industrial Development.
ROBERT H. ELLIOT ... ..	What the True Interests of Manchester really are in India.
DR. GEORGE BIRNWOOD ... ..	Competition and the Indian Civil Service. Letter of Sympathy to the Countess of Mayo on the Death of the Earl of Mayo.
MAJOR EVANS BELL ... ..	Trust as the Basis of Imperial Policy.
F. W. CHESSON ... ..	The Best Means of Educating English Opinion on Indian Affairs.
ALMARIC RUMSEY ... ..	Mahomedan Inheritance. Important Letter from the Maharajah Holkar. The Annual Meeting and Report, 1871-72. Annual Meeting and Report of the Bombay Branch.

## VOL. VII.—YEAR 1873-74.

I. T. PRICHARD ... ..	The Central Asian Question.
COLONEL A. B. RATHBORNE ... ..	The Land Question of India.
WILLIAM TAYLER ... ..	Publicity the Guarantee for Justice, or, "The Silent Chamber" at Whitehall.
COLONEL A. B. RATHBORNE ... ..	The Land Question of India. (Resumed Discussion.) The Annual Meeting and Annual Report, 1873-73.
WILLIAM TAYLER ... ..	Famines in India: their Remedy and Prevention.
I. T. PRICHARD ... ..	The Right of India to Representation in Government; the Work of the East India Association, the Duty of Indian Political Associations, and their Relation towards the Government. Notices of Works by Iltudns Prichard, Esq. Letter to the Under-Secretary of State for India on the subject of Consulative Committees in India. An Appeal to the Electors of the United Kingdom on behalf of India.

## VOL. VIII.—YEAR 1874.

NAME.	SUBJECT.
P. M. TAIT ... ..	Anglo-Indian Vital Statistics.
JAVERILAL UNIAHANKAR YAJNIK ...	Indian Bureaucracy: Its Features, or Secrecy in Officialism.
MAJOR EVANS BELL ... ..	The Disputed Succession in Afghanistan.
ROBERT H. ELLIOT ... ..	Our Indian Difficulties: The Way out of Them; and a Few Words of Warning to Investors in Indian Funds and Railways.
	The Annual Meeting and Annual Report, 1873-74.
	A Summary of the Operations of the Association from its Foundation.
MAJOR-GENERAL W. F. MARRIOTT ...	Indian Political Economy and Finance.
W. MARTIN WOOD ... ..	Meeting of the Bombay Branch: The Marquis of Salisbury's Indian Councils Bill: Supervision of Many Better than Revision by One.

## VOL. IX.—YEAR 1875-76.

DR. G. W. LEITNER ... ..	Native Self-Government in Matters of Education.
LIEUT.-COLONEL F. TYRRELL ...	The Wants of India, and How we are to Obtain a Hearing for them.
W. MARTIN WOOD ... ..	Meeting of the Bombay Branch: Inter-Provincial Finance: Bombay and Bengal's Relative Position.
	Memorial on Tariff Valuations.
WILLIAM TAYLER ... ..	The Trial of the Guikwar, with Special Reference to the Principle of Publicity therein Adopted.
	An Address by Bombay Branch on India and England to Mr. E. B. Eastwick, C.M., and his reply.
	The Annual Meeting and Report, 1874-75.
REV. JAMES LONG ... ..	The Position of Turkey in relation to British Interests in India.
DAVID SUTHERLAND ... ..	The Inexpediency of Legislation on the Subject of Law Reporting in India.
DADABHAI NAOROJI ... ..	Poverty of India. Part I.
MAJOR EVANS BELL ... ..	A Privy Council for India.
ROBERT H. ELLIOT ... ..	Indian Manufactures and the Indian Tariff.
DADABHAI NAOROJI ... ..	Poverty of India. Part II.

## VOL. X.—YEAR 1876-77.

WILLIAM TAYLER ... ..	The Bombay Revenue Jurisdiction Bill.
COLONEL A. B. RATHBORNE ...	The True Line of Defence for India.
	The Annual Meeting and Annual Report, 1875-76.
DADABHAI NAOROJI ... ..	Poverty of India. Part III.



NAME.	SUBJECT.
H. G. KEENE, C.I.E., M.R.A.S. ...	... Liberal Principles in India. The Annual Meeting and Annual Report, 1882-83. Annual Meeting of the Bombay Branch. Petition from Bombay Branch to Her Majesty praying for an extension of the Marquis of Ripon's term of Vice-royalty.
MISS FLORENCE NIGHTINGALE ...	... The Dumb shall speak, and the Deaf shall hear; or The Ryot, the Zemindar and the Government. Obituary Notices: Mr. Edward Backhouse Eastwick, C.D., M.A. Mr. John Bruce Norton, M.A.
ROBERT H. ELLIOT ... ..	... Is the attempt to pass The Indian Criminal Jurisdiction Bill calculated to promote the Public Interests and the Welfare of the Inhabitants of India generally?
ROBERT H. ELLIOT ... ..	... Adjourned Meeting: Is the attempt to pass The Indian Criminal Jurisdiction Bill calculated to promote the Public Interests and the Welfare of the Inhabitants of India generally?
SIR WILLIAM WEDDERBURN, Bart. ...	... The Poona Baiyats' Bank: A Practical Experiment. Address presented by the Bombay Branch to Sir Evelyn Baring, B.A., K.C.S.I., C.I.E.
D. S. WHITE ... ..	... Eurasian and Anglo-Indian Grievances.
DAVID SUTHERLAND ... ..	... The Grievances of the East India Community.
REV. JAMES LONG ... ..	... East Indians: Their Position and Prospects.
ROPER LETHBRIDGE, C.I.E. ... ..	... The Mischief Threatened by the Bengal Tenancy Bill.



## JOURNAL

# EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

### INDIAN PUBLIC WORKS' FINANCE, EXCHANGES AND LOANS: A PROBLEM, A PARADOX, AND A SOLUTION.

PAPER BY W. MARTIN WOOD, ESQ.,

READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON MONDAY, JANUARY 15, 1883.

GENERAL H. ST. CLAIR WILKINS, ROYAL ENGINEER,  
IN THE CHAIR.

A MEETING of the members and friends of the East India Association was held on Monday afternoon, January 15, 1883, at the Pull Mall Restaurant, Regent Street, London, the subject for consideration being, "Indian Public Works' Finance, Exchanges, and Loans: a Problem, a Paradox, and a Solution," introduced in a paper by Mr. W. Martin Wood, formerly editor of *The Times of India* and of *The Bombay Review*.

General H. ST. CLAIR WILKINS, R.E., occupied the chair, and amongst those present were the following:—Sir William Rose Robinson, K.C.S.I.; Sir John Swinburne, Bart.; General Sir George Balfour, K.C.B., M.P.; Mr. Fung Yee, Secretary of Chinese Legation; Major-General W. W. Anderson; Colonel R. M. Macdonald; Major G. P. Kitson; Captain W. Ross; Captain Roxby; Rev. James Long; Professor Gustav Oppert; Dr. Vincent Ambler; Dr. Byramjee; Surgeon-General Hunter; Mr. Mir Dawar Ali; Mr. C. W. Arathoon; Mr. George Bain; Mr. Robert Bain; Mr. Mancherjee M. Bhownaggee; Mr. Boulnois; Mr. William Bowden; Mr. A. B. Brabant (of Wynaad); Mr. A. K. Connell; Mr. M. D. Dadysett; Mr. James Geddes; Mr. E. James; Mr. Edward Jenkins; Mr. Edmund Kimber; Mr. Alfred Neighbour; Mr. Marsh Nelson; Mr. J. A. Partridge; Mr. C. Pfoundes, F.R.G.S.; Mr. Alexander Rogers; Mr. A. K. Setbna

Mr. John Shaw (Madras); Mr. W. A. Smith; Mr. W. Sowerby; Mr. W. Carlton Wood; Messrs. C. N. and A. L. Wood; Mr. W. Hamilton Burn, Secretary.

In opening the proceedings, the CHAIRMAN briefly stated that he had been invited to occupy the post of chairman, and that he thought the best service he could do the meeting, considering the hour, was to call upon Mr. Wood to deliver his address at once.

Mr. W. MARTIN WOOD then read the following paper:—

The fall in the gold price of silver and the consequent "loss by exchange" sustained by the Indian Government, have attracted much less attention of late than these topics did six years ago, when the phenomena in question were new to the public mind. The comparative indifference with which this subject has of late been regarded, may be attributed partly to the assumption—so congenial to indolent or preoccupied minds—namely, that this disturbance of international value is inevitable, and partly to the opposite feeling of easy going optimism which would persuade us that Franco or America may rescue us from the difficulty. But silver is not yet rehabilitated; and the exchange value of the rupee is now again below 20d, a rate which in the Government of India's budget of the year ending with March, 1882, results in an entry of £3,475,000, as "loss by exchange," or—allowing for a *per contra* entry of £412,000—more than three millions sterling. The corresponding entry in 1872-3 was £765,109, less "gain by exchange" of £301,436; the nett

Some of the official and other publications referred to in this paper: *Financial Statement for 1881-2* by the Hon. Evelyn Baring, R.A. Calcutta, March, 1881.

*Speeches in the House of Commons on Indian Accounts and Finance*, by Marquis of Hartington. August, 1881 (Hansard).

*The Fall in Silver and Public Works' Finance*: A Letter addressed to the Marquis of Salisbury: P. S. King. 1876.

*Where should Indian Loans be Taken up—in India or in England?* A Letter addressed to Sir John Strachey: P. S. King. 1879.

*A Few Words on Our Financial Relations with India*, by Major (since Colonel Sir George) Wingate, R.E.: Richardson Brothers. 1859.

*Journals of the East India Association*. 1871 and 1878: Charing Cross, London.

charge on the Indian revenue being thus two and a-half millions less than at present.

This contrast shows the measure of the monetary disturbance that has affected the financial transactions between England and her great dependency during the last eight years; but it should be remembered, as we were reminded by Major Baring, the new Indian Finance Minister, in his financial statement of March, 1881, that the items of "loss" and "gain by exchange" are "adjusting entries," and do not show the true measure of the loss to India from the recent change in the relative values of gold and silver. Scientific experts may demur when he says that the "true measure" is to be ascertained by assuming "a normal relative value between gold and silver;" but the calculation deduced by the gallant financier from that assumed value being handy for comparison, we will quote it, thus:—"When that relative value was as 1 to 15½ the 165 grains of pure silver contained in a rupee were worth 1s 10½d. The net sterling expenditure at the Home Treasury of the Government of India may now be taken at £14,750,000 (true sterling); £14,750,000 at 1s 8d the rupee equals Rs177,000,000. At 1s 10½d the rupee, £14,750,000 equals Rs156,464,000. The difference is Rs20,536,000. On this basis, therefore, the real loss to the Indian Treasury in 1881-82, resulting from the disturbance of the equilibrium previously existing between gold and silver, may be estimated at £2,053,600." No date is here cited as the latest period of "normal relative value;" but as in our comparison we shall have occasion to revert to the figures of 1872, it may be noted here that the exchange value of the rupee in that year was 1s 11.126d, but in 1874 it had declined to 1s 10.35d, that is about .35 per cent. below Major Baring's "normal value." The lowest average was in 1879, when the rate fell to 1s 7.79d, the estimate for the present year being 1s 7.88d. Slight though this improvement is, it served, with those who take the easy optimist view of the question, as an indication that the tide had turned. But this cannot be Major Baring's view. He observes that "the amount of the Secretary of State's Bills has of late years been gradually increasing;" and he mentioned that the sum for the years 1881-2 would be £17,504,000. He concluded his notice of that part of the statement with the remark, "We can never feel any certainty of the sum to which the item loss by exchange may not amount."

This being equivalent to the official leadsmen's despairing cry of "no bottom," there is as urgent need as ever to raise or renew the question, whether this sounding must be accepted as indubitably

correct. Those who think it is not, and those who consider that the gulf of Indian exchange is not bottomless, are not only permitted but bound to show that different landmarks may be described, and that our present pilotage may be improved upon. Major Baring only follows his predecessors in their confession of helplessness regarding the problem presented by this exchange and silver difficulty. Sir John Strachey said in his statement for 1877-8, "We cannot expect to avoid serious loss hereafter from disturbance in the relative values of the precious metals, and no one can now measure the future deranging effect upon our finances of these disturbances." In face of this dismal prospect, all that the Finance Minister had to offer in the way of suggestion was, "I must mention the great importance of sparing no efforts to prevent the increase of the sum which we have to pay annually to England in gold." In his separate Minute, recorded at the same period, he did deal with the subject from the side connected with the internal currency of India. This had been specially forced on the attention of Government by the Calcutta merchants, whose import trade was crippled by the high rates of exchange. Much of the reasoning in that official document brought to bear on the pleas of the memorialists in favour of directly checking the coinage of silver is cogent and instructive; but, in effect, all that Sir John Strachey offered towards a solution of the exchange problem was an assurance that Government was "devoting anxious attention to the subject." Again, in the Statement for 1880-1—an enormous document consisting of 283 paragraphs, and published as a "Resolution," not read in open Council, the same Minister—after a dexterous but unsuccessful attempt to assign "Loss by Exchange," as the justification of his memorable declaration: "The insurance provided against future famines has virtually ceased to exist"—concludes with the despairing remark, "nor can it be any way assumed that the evil will not continue and go on increasing." As a record of facts the passages here referred to (paragraphs 275-80) are valuable and pertinent to our present purpose. We quote paragraph 276:—

The loss by exchange on the estimated amount of the home remittances in the coming year is £2,947,368; it would have been £4,142,000 if provision were made for remittances to cover the whole of the current home charges. The latter sum is more by £3,324,000 than would have been required for the remittance of the same amount in 1872-3, the last year before the long-standing equilibrium between gold and silver was violently disturbed. So far as these remittances are required to meet fixed payments, such as interest, pensions, and the like—and such fixed payments constitute the bulk of the home charges,—it may be said that this great sum of £3,324,000 represents the yearly taxation now required, in addition to what would have been necessary if the old rate of exchange had been maintained.

Coming to a later official utterance on this subject, the Marquis of Hartington's statement (August 22nd, 1881), we find indications of those less anxious views on this subject referred to in our opening sentence. His lordship pointed out that the exchange value of the rupee is at least favorable to the export trade of India, and, on the other hand, he seemed to cherish some lingering hope that the lifeboat of bimetallism might come to the rescue.

With these topics we have no concern at present, for, as the Secretary of State puts it, the question before us is, how does the "loss by exchange" affect the Government of India's treasury and finance; and it is desirable to state this question in his lordship's own words:—

The inconvenience from which India suffers arises from a different cause. It arises from her having to pay very heavy sums to the Home Government, averaging for several years considerably more than six millions a year. The losses by exchange are not less than eleven millions. That is a serious matter for a country situated as India is, where any readjustment of taxation is a matter of great difficulty. The injury to India does not stop there—at the actual loss incurred. The injury is greatly increased by the uncertainty caused in every financial estimate and transaction. It is absolutely impossible for any Finance Minister to make an estimate upon which he can confidently rely as to the expenditure and revenue for the next year. His surplus is liable to be converted by causes over which he has absolutely no control into a deficit. Every financial operation, every project which the Government may form, either for a reduction of debt, or for any change in the mode of making remittances home, is liable to be disturbed. Shall debt incurred in India be discharged? Shall money be kept at home? Shall home remittances be made by the sale of balances in England, or shall debts incurred in England be repaid? All these questions are unsettled, and it is impossible that any Government can take a certain view with regard to any of them.

The Hon. Mr. Stanhope, speaking on the same occasion, in his character as a former Under-Secretary of State for India, made a passing reference to the subject in which he very properly spoke of the Secretary of State's drafts as the cause of the difficulty. But Mr. Stanhope went on to express the commonplace popular view of the subject when he implied that the excessive amount of Council bills is an "inevitable misfortune" which only the extension of Indian trade and resources can render endurable. He also spoke vaguely about "reduction of the gold debt," apparently by substitution of rupee loans; but how this palliative was to be secured the ex-Under Secretary did not attempt to show.

Although the statements we have quoted above are familiar enough to all who follow the course of Anglo-Indian affairs, it was necessary to cite them here in order to show, both the official statement of the problem, and the united confession of the authorities, both here and in

India, as to their feeling of helplessness in the matter. Yet it is obvious that if the evil be remediable, or such as can be appreciably mitigated, some course towards that end must be taken. *Laissez faire* is sometimes a costly counsellor. In the passage just quoted, when the Secretary of State speaks of eleven millions sterling having been lost to the Government, and therefore to the people of India, during a period of three years—a kind of loss which, as shown from Major Baring's statement, is continuous and increasing—we have a minimum measure of the urgency with which some remedy is demanded. We say the minimum; for it is manifest that not only does the Indian Treasury and its clients suffer, but the low exchange value of the rupee entails losses in similar ratio on all remittances from private incomes, and on all returns from European capital permanently invested in India. As Major Baring remarks, in course of his statement, "the so-called *Loss by Exchange* depends, not on the amount of the Secretary of State's bill [alone] but on the cumulated transactions of the Secretary of State and the public." As to mercantile remitters, they may, for the present, be left out of question as they are presumably able to protect their own particular transactions. Whether the stimulus given to the export trade of India, by reason of the higher rates which exporters of produce there can obtain for their "document" bills on England, affords sufficient compensation for the increased cost or diminished quantity of imports, is a question that involves certain recondite incidental issues, and is not one pertaining to the present branch of our inquiry. The argument on this far-reaching branch of the subject is readily apprehended by all who are familiar with questions of monetary science; but the practical bearing of Major Baring's proposition above-stated, is scarcely realized by any of our public men who touch on the discussion of the silver and Indian exchange question.

Hence it may be permissible to quote from a letter addressed by the present writer in 1876, to the then Secretary of State, the Marquis of Salisbury, which embodies one essential passage from the Silver Committee's Report of that year, and also other testimony less known, but equally pertinent:—\*

Hence every million of Council drafts above ten millions per annum may be said—due allowance being made for other and conflicting causes—to have accelerated at geometric progression the downward course in the exchange price of the rupee.

Very strong presumption to this effect is supported by reference to the section of the Silver Committee's report, in which Mr. Göschen and his colleagues set out and

\* See Letter to Marquis of Salisbury, page 8, paragraph 4, "Hence every Million," to page 4, paragraph 6, "Indian Demand."

consider the facts relating to the currency and finance of India. In that section they demonstrate—as had beforetime been pointed out by Mr. R. H. Hollingberry—that the influence of Council bills in keeping down the market price of silver, and in adding to the Government of India's own loss by exchange, is far more weighty and persistent than is the effect of the recently increased production of silver. In Mr. Hollingberry's carefully compiled memorandum it was shown that whereas the annual production of silver has only doubled since 1848, the amount of the Secretary of State's bills has increased threefold (see his para. 276). In his para. 264, the proof that the increase of the Secretary of State's annual claim has been the most influential cause in diminishing the price of silver is shown in somewhat this form: in 1867-68 the annual production of silver was equal to 14·7 millions sterling, and the Council bills were 4·187 millions; whereas in 1875-76 while the production of silver (according to Mr. Hollingberry's then estimate) had reached 17·4 millions, the India Office paper money was 14·3. This latter amount is matter of absolute certainty; and if for the production of silver we take the later and lower estimate by the Committee (14 millions), it is obvious that it is supersession, and not a glut of (metallic) produce that has sent silver down. The Silver Committee point out this supersession and describe its effects thus:—

" . . . . The supply of a different form of remittance, namely, Government Bills, has superseded to a great extent the necessity of remitting bullion. . . . .

" . . . . The effect of this substitution has to be measured in very large figures as the yearly amount payable by India for the disbursements of the Home Government has risen since the Indian Mutiny from £5,000,000 to £15,000,000, a difference of which the magnitude will be appreciated when it is remembered that it is considerably more than half of the total amount of silver annually produced."

Mr. Hollingberry had estimated the annual production of silver at nearly eighteen millions. The Committee, with later and fuller information before it, estimates the total yield at only fourteen millions. As shown above, the Secretary of State's drafts represent paper money more than sufficient to throw back on the rest of the world the silver that it does not want, and to divert that metal from India which craves for the replenishing stream. Looking only at the additional ten millions of this annually emitted paper money which thus supersedes more than two-thirds of the present large production of silver, the great fact ought to be plain even to the Government at Simla, that "the present financial disorder," instead of being "exclusively due to the recent rapid fall in silver in relation to gold," is primarily and mainly due to the substitution of your lordship's drafts for silver to be paid out of the Indian treasuries, instead of silver being bought by merchants and bankers in the London market. The Committee state that, in the four years ending March, 1875, India's (nett) import of silver was only a little over nine millions, but in the four years up to 1871 the aggregate import was nearly twenty-three and a half millions. The contrast is still more striking if we go back a few years further; and it is this great fact to which we have to direct our attention. This will be most forcibly displayed by the following excerpts from Mr. Göschen's report (the italics are mine):—

"The great change [in the amount of Indian financial imports] has not been in the aggregate amounts remitted, but, as the foregoing tables have shown, in the mode of remittance.

"It will be observed that Government bills have in the foregoing calculations been added to the treasure remitted. To the merchant and banker, remittances in these Government bills are equally, if not more convenient than a remittance of silver. It is simply a question of price between the two. The Government bills on the Indian presidencies which are offered for sale, are payable in rupees, thus



entitling the purchaser to an amount of silver in India. The balance of ordinary trade is settled by one form of remittance as well as by the other [so far as the European merchant or banker is concerned], and it will be seen that, though the total amount of treasure and bills together remitted to India during the last four years has but slightly declined, the proportion between the two *has been entirely reversed*, as the following figures show:—

	Treasure.	Govt. bills.
Period between 1868-69 and 1871-72 . . .	£40,000,000	£29,500,000
" 1872-73 and 1875-76 . . .	16,500,000	50,500,000
Ann. Average, 1st period . . .	10,000,000	7,400,000
" 2d " . . .	4,100,000	12,600,000
And in 1875-76 the proportions were . . .	8,100,000	12,400,000

"It will be seen, therefore, to what a great extent the purchase of Government bills has *displaced the transmission of bullion*. The difference would be still greater but for the year 1870-71, which is included in the first period, but which appears to have been an exceptional year.

"Whatever these effects [of cessation in large silver imports during late years] may be, they are simply to be accounted for by the *large amount of bills on India* which the Indian Government have now annually to sell. It may be said that their requirements are, in round numbers, about £1,250,000 a month, or £15,000,000 per annum. This is the sum which has to be paid annually by India [on Government account] to England, and this sum, *pro tunc*, *displaces* the despatch of *bullion*. It appears that, previous to 1862-63, the bills drawn in England never reached the sum of £4,000,000. The excess of the present requirements is therefore £11,000,000."

It is evident, now all the figures are before us, that had it not been for this rapid creation by the India Office of Anglo-Indian paper money, the increased production of silver and the demonetization of the metal by Germany would have barely kept pace with the natural Indian demand.

Here may be conveniently added the figures of the subsequent years:—

	Treasure.	Council bills.
1876-7 . . .	£7,405,220	12,695,709
1877-8 . . .	15,144,463	10,131,455
1878-9 . . .	3,074,520	13,948,565
1879-80 . . .	9,620,000	15,261,810
1880-81 . . .	7,585,000	15,090,000
1881-82 . . .	10,223,034	17,504,000

Thus we have for the six years a total of rather over 84 millions in Council bills, as against rather over 53 millions in treasure—silver being thereby superseded to the extent of 30 millions. It should be noted that the total of Council bills would have been larger, and the disproportion greater between that and the sums of treasure imported by India in the period, had it not been that of the 30 millions or more added to the debt of India in that period a considerable portion was taken up in England.

Throughout the discussion on this subject during the last few years it has ever and again been forgotten—in spite of the palpable facts referred to, and irrefutable arguments embodied in the above excerpts—that the Anglo-Indian exchange trouble has arisen mainly from the

\* Famine demands and English Loans supplies.

absence of some set-off to the vastly increased amount of Council Bills during recent years. Such a considerable set-off as that spoken of was, up to the beginning of the last decade, operating and continued to operate, though with less force, up to 1873. This was obtained chiefly by the paying in of capital by the guaranteed Railway Companies, partly by loans raised in England for public works and other purposes. In the four years ending March, 1871, the net payments into the Indian Home Treasury by the Railway Companies amounted to 13·7 millions. In the same period there was borrowed on Indian account in England 9·21 millions, while there also chanced to fall into the same period repayments by the British Treasury of 7·76 millions on account of Indian funds expended in former years in the China and Abyssinian expeditions, these three sums making a set-off of 30·67 millions in the period. In the four years next succeeding—namely, from March, 1872, to April, 1875—the aggregate amount from these sources was only 10·30 millions. There was thus 20·37 millions less of set-off against the Council bills. This was equivalent to an increased production of silver to that amount; or, to put the fact more forcibly and correctly, this twenty millions sterling-worth of the Secretary of State's paper money thrust aside that amount of ready silver which would otherwise have been lifted off the Western market, sent to, and absorbed by India. Since 1874-5 the process has been going on with accelerated force, for whereas in that year bills were drawn on India to the amount of R11,74,37,000, yielding £10,841,615, the bills to be drawn in the current year are estimated at R20,67,50,000 to yield £17,200,000. Now if there had to be paid into the Home Indian Treasury this year a similar sum to that which was paid in by the Railway Companies alone in the first year of the statistics just cited, namely 1867-8, the remittance demanded by the Secretary of State for this year would be little over twelve millions sterling. That is not all: the volume of Council bills being so much smaller, the cost of remittance would have been smaller by at least the diminished aliquot portion of the total remittance. Thus, as the cost of remitting seventeen millions as entered in Major Baring's Statement at £3,475,000, the cost of remitting twelve millions would be £1,022,060 less, thereby yielding an immediate and tangible saving of that amount. But that is only the direct arithmetical diminution of loss that would at once accrue from some such set-off to the Secretary of State's drafts as existed so recently as 1867-8. There is the further, and, in one sense, more real saving from the diminution in rate of exchange on the whole amount of Council bills, and not only on them,

but on all remittances from or drawings on India—though the mercantile and private remittances we do not here take into account. In several of the Indian Government's Financial Statements, there have been demonstrations incidentally given that the adverse rate of exchange bears direct relation to the increased amount of Council bills: one may here be quoted from the Statement of 1874-5 (Sir William Muir's):—

"The sum provided for the adjusting entry under loss by exchange is £746,600. It is estimated that the Secretary of State will raise by bills £10,000,000, and that his bills will sell at a fraction worse than 1s 10½d the rupee. The estimate under this head has usually been too sanguine; but in consequence of the loan operations in prospect, it seems reasonable to expect or rather better exchange this year. But for the proposed loan operations, the Secretary of State must have raised £15,000,000 by bills. The exchange upon such a large amount, could hardly have been better than 1s 10d the rupee. The adjusting entry under this head, must therefore have been £1,364,000. So that the grants from the revenues for the service are less by £618,000 than they must have been if no money were to be borrowed in England."

So that the saving in the rate of exchange by reason of the diminished quality of India Office bills has to be considered in any estimate as proposal for diminishing the volume of those annual emissions of international paper money. In paragraph 80 of Major Baring's Statement of March last, he proceeds on this principle of comparison; and taking only the net average home charges—not the total sum of this year's drawings—he shows that the difference made by the rate alone, as between 1s 8d now, and 1s 10½d as in 1873, is equal to £2,053,600. This figure may well serve as an illustration, by way of comparison of the measure of relief that would be afforded to the whole mercantile exchange of India by any large diminution in the annual amount of Council bills. Every commercial and industrial interest concerned with that country would be benefited, unless we except the abnormal stimulus enjoyed by exporters from India when the exchange value of the rupee being low, so many more of the coins can be obtained in return for exports.

The Problem being, then, to reduce the loss by exchange, that amount of loss which has been enhanced by increase of India's obligations in England, our Paradox is that such loss can be checked and reduced to minimum by accepting certain additions to those obligations, but accepting such addition under proper conditions and for specific purposes. That is to say, (1) when the Government of India is compelled to borrow, as during the last dozen years or so, to the extent of about 50 millions, such loans should be taken up in Europe and not in India: (2) when and wherever in India irrigation and other productive public works can be shown as tolerably certain to return even a fraction more than the charge for interest, funds should

be borrowed in Europe for these works. The reasons for this course in both instances are, first, the obvious one, that capital and loan funds can be obtained at more favourable rates in Europe than in India, better by 3 to 6 per cent. on the principal sum, and by 1 to 2 per cent. less on the annual interest; and, second, the neglected and constantly overlooked but substantial reason, that the raising of funds in Europe would provide that set-off to the Secretary of State's drawings which is needed to reduce their amount, and thereby keep down the cost and rates of exchange to a minimum.

Here, in spite of evidence already adduced and implied arguments cited, we may be met with the popular assumptions on the subject. Its being contrary to the ordinary course of commercial calculation that increase in present obligations should result in mitigation of future burden, is the cause of the unusual circumstances of Anglo-Indian finance being persistently overlooked. When the remark is made, that borrowing in England instead of India only adds to the sum of future interest to be remitted, the objector seems to think the subject is exhausted and there is an end of argument. But even the citations we have already used from the Finance Ministers who have indulged in barren lamentations over "loss by exchange," serves to show that there must be another side to the question. The fraction of extra cost incurred in remitting interest to London is *seen*, talked about, and allowed to assume a wholly exaggerated significance. Let us now bring into notice those other factors that are *not seen*, but must be taken into account: these are—

1. The higher rate of subscription that can always be obtained for loans raised in Europe on which the interest is paid in London. This, as already remarked, may be put as usually from 3 to 6 per cent. In the case of the loans issued in 1881 in India, owing to speculation and other local causes, the rate obtained there was unusually high—being over 105. But 5 or 6 per cent. may be taken as an average of the advantage on the principal of an Indian loan when taken up in England as compared with borrowing in India. Just at present 4 per cent. rupee paper is quoted at about par in Bombay and Calcutta, but Indian 4 per cent. sterling stock is quoted at 10½ in London, and the 3½ per cent. stock is rather over 101. In estimating the gain thus accruing on the principal from taking up a loan in England instead of India, it must be noted that as the gain would arise at the inception of the transaction there should be compound interest calculable on that gain during the currency of the loan.

2. There is next the gain by the lower rate of interest paid in England, which would usually be about 1 per cent., and on this profit

accumulating interest may be reckoned. One convenient instance for comparison is that thus mentioned by the Secretary of State in the course of his speech in August, 1881:—"In June of last year, a loan of 313 lakhs was raised in India at the interest of  $4\frac{1}{2}$  per cent. The price at which it was raised was  $103\frac{3}{4}$ . In January of the present year, a loan of three and a-half millions was raised in London, at  $3\frac{1}{2}$  per cent., and the price at which it was raised was £103. 19s 6d."

3. The cost that would have been incurred in remitting from India a sum equivalent to the loan taken up in any year is a direct gain on the operation in England, and also carries with it compound interest.

4. Then there must be estimated the better price gained for the rest of the Secretary of State's drafts in the year when a loan is taken up. Those readers who have followed our argument will clearly perceive that these four items of profit or advantage, all arise in respect of any loan on behalf of the Indian Government that is taken up in Europe instead of India, in London instead of in Calcutta or Bombay. And it must be self-evident that compound or accumulated interest on these four items should be credited to the account of a loan raised in England as compared with one taken up in India. To set against these gains are two to the credit of an Indian raised loan—namely, avoidance of the cost of remitting annual interest, and of cost of remitting the principal on offlux of the loan. If these principles be fairly applied in comparing the results of the Government of India's loan transactions in India and England respectively, the arithmetic will show that our paradox—increased Indian obligations in England—goes far towards a solution of that problem, that ever increasing and unmanageable "loss by exchange," which Finance Ministers and Secretaries have been too much accustomed to regard as insoluble and hopeless. Such testing by arithmetical principles can be applied to each Indian loan transaction in turn, or an hypothetical statement can be drawn up for the purpose. The latter course is the only one that can be taken in order to illustrate the more important branch of our argument, namely, that to borrow the cheap capital of Europe for the construction of productive public works in India, is the most effective method of checking the fall of silver, reducing the volume of Council bills, and overcoming that bugbear "loss by exchange." The following calculation was embodied in a statement laid before the Marquis of Salisbury in 1876, when his lordship was Secretary of State for India; and as, since that period it has been unmistakably proved, as we may show hereafter, that Indian public works can be made to yield as good, or better, a rate of profit than is assumed in this account, the

arithmetical argument here presented is even more cogent than when it was framed in 1876.

*Results of £1,000,000 borrowed in England for Reproductive Works in India, 1876 (i.e., Loan repaid in 25 years, accounts carried on to 30 years: compound interest on both sides).*

Dr.

To interest for 30 years at 5 per cent.	2,243,000
„ Transmission (exchange) of interest at 12 per cent.* for 25 years.	199,900
„ Principal repaid	1,000,000
„ Cost of its transmission at 8 per cent.† in A.D. 1901	80,000
„ Profit‡ to India from transaction	1,327,660
	<u>£4,850,560</u>

Cr.

By present saving in lessening Council bills at 16 per cent.§	160,000
„ Interest on that sum for 30 years at 4 per cent.	358,880
„ Works constructed	1,000,000
„ Profits on Reproductive Works (after five years spent in construction) at    8 per cent. × 25	3,331,680
	<u>£4,850,560</u>

By balance brought down—

i.e., Works worth	1,000,000
Profits available for other works	327,660
	<u>£1,327,660</u>

\* Taken as an average estimate.

† This moderate rate is assumed on the ground that either silver and gold will have reacted to former relations, or that a gold standard and currency being introduced to India, the rate of exchange will be only ruled by the mercantile exchanges. The assumption of less adverse rates of exchange, say five years hence, is not speculative, but founded on broad general estimate which the writer considers to be sound.

‡ But as repayments should commence as soon as the works begin to leave a profit, the debit of £199,900 would be considerably reduced, thereby adding to the profit of £327,660.

§ This is only taken at 16 per cent.; but the cost has been, and is, much more than that.

|| The standing rule is that the Secretary of State shall be shown a fair prospect of nett returns at 10 per cent. on works constructed from loans before they are sanctioned.

Two statements of account shall now be presented in proof of the simpler form of our proposition—namely, that when the Government of India *must* borrow, the advantages of taking up its loans in Europe much exceed those of borrowing in India. The first of these relates to the loan taken up in India, in 1878, and was embodied in a communication addressed to Sir John Strachey, in July of that year: its figures are plain enough:—

*I.—Gained by taking up Loan £3,000,000 (or the Equivalent thereof) in India instead of in England..*

1. Avoidance of Loss by Exchange on remittance of Interest (£120,000) to Europe (£20,487) at $1-8\frac{1}{2} \times 15$ years . . . . .	= 307,300
2. Saving in compound interest on above yearly remittances . . . . .	= 109,300
3. Avoidance of cost of remittance at $1-8\frac{1}{2}$ of principal 15 years hence . . . . .	= 512,190
	<hr/>
	£928,790

*II.—Gained by taking up Loan in England instead of in India.*

1. Higher rate of subscription for Loan in England than in India at 6 per cent. . . . .	180,000
2. Saving of "Loss by Exchange" that would have accrued from diminution of Council drawings £3,000,000 at $1-8\frac{1}{2}$ during current year . . . . .	512,190
3. Compound interest on above items . . . . .	= 554,400
4. Half per cent. less Interest paid in England than in India £15,000 $\times 15$ years . . . . .	= 225,000
5. Compound interest on this yearly saving . . . . .	= 75,350
6. Estimated saving (of $\frac{1}{4}d$ in rupee) on exchange in drawings for £14,000,000 . . . . .	297,800
	<hr/>
	£1,844,740

DEDUCT—Cost (at $1-8\frac{1}{2}$ ) of remitting principal if repaid on efflux of Loan . . . . .	512,195
	<hr/>
	1,332,545

GAIN—Shown on taking up loan in England. . . . .	<hr/> £403,755 <hr/>
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The third of these comparative statements refers to the loan taken up in India, under the Honorable Major Baring's auspices, in the year (1881-2) : it comprises the extra, but legitimate consideration of the gain to mercantile and non-official remitters incidentally arising from Council bills being taken off the market. The loan was issued for three crores of rupees in India, so that certain adjustments are applied to make the comparison more nearly in accord with a sterling transaction.

*"What is not seen" by the Finance Minister, i.e., in favour of borrowing in England.*

Dr.

a.	To probable premium on £3,000,000 at $3\frac{1}{2}$ per cent. stock taken up in London at 103	90,000
b.	„ Interest on that sum at $3\frac{1}{2}$ for 15 years	150,780
c.	„ Half per cent. less annual charge than in India, with interest thereon during the period	289,453
d.	„ Improved price of Council bills during 1881-82 (on 16 instead of 20 crores)	666,666
e.	„ Interest on that sum for 15 years	1,116,898
f.	„ Better rate on excess of outward over inward mercantile and private remittances, taking only $\frac{1}{4}d$ per rupee, and half amount of above	166,666
g.	„ Interest on ditto ditto at $3\frac{1}{2}$	279,223
		<u>£2,759,686</u>

*"What is seen" by the Finance Minister, i.e., in favour of borrowing in India.*

Cr.

h.	By premium on three crores taken up in India (less $\frac{1}{4}$ = sterling value)	26,250
i.	„ Interest for 15 years on above at 4 per cent.	41,275
j.	„ Saving cost of annual remittance of interest on Rs. 2,62,50,000 at 1s 8d	941,890
k.	„ Saving cost of remitting principal at the 15 years' end	523,000
	Balance—being debit against the Hon. E. Baring and India	1,227,271
		<u>£2,759,686</u>



The following explanatory remarks were appended to this calculation when it was made, and may, so far as they apply, conveniently serve the same purpose:—

I have taken 3 per cent. premium in England (a) and 1 per cent. in India (h). The rate obtained for the last loan subscribed in London—fourteen times over—may be taken to justify the former estimate. As to the improvement of one penny per rupee by the lifting of four crores of bills out of twenty off the market during the year, the records of past exchange rates bear out that estimate. And it will be seen I have only taken  $\frac{1}{2}$ d for that influence on inward mercantile drafts, while the total sum of these (f and g) being only taken at half that of Council bills, this must be admitted to allow a considerable margin. The India side gets the benefit of 4 per cent. rate of interest. Only  $3\frac{1}{2}$  on all the items on the English side of the account has been reckoned; though it must be obvious that, so far as the reduction of cost of remittance is a gain to commercial India, 5 or 6 per cent. might fairly have been taken for f and g of my table. This would have largely increased the debit against the Finance Minister's policy of buying his loans in the dearest market; but if it be demonstrated that his and the India Office's policy is wrong in principle, we need not dwell on the extent of the mischief done. Compound interest is reckoned on both sides of the account so far as applicable. If that tells more to the advantage of the England side of account, that is not the fault of the figures, but of the stupid policy which every friend of India ought to strive to reverse. Items c and f—being annually recurring "savings"—are reckoned at annuity rates. This gives full advantage to that item (j) of the India side of the table; but I would ask those who are never tired of repeating the platitude—"but see what great cost is incurred in sending interest to England every year," to look the facts fairly in the face, and cease to talk only of "what is seen." In items h and i I give India the benefit of one penny per rupee more than current values; the table alone cannot show the gain that would incidentally arise to India from the loan being taken up in Europe, and Council bills being proportionately reduced. Silver would flow in, the currency would be replenished, and industry be stimulated on all hands.

Exception may be taken to the allowance of only one per cent. premium on the loan in India, seeing that, as a matter of fact, the average subscription for it was at the rate of 105 $\frac{1}{2}$ . But it would not be at all fair to accept that figure of June, 1881. That high rate was notoriously the result of organized speculation; the dulness of ordinary trade caused money to be exceptionally easy at the time the loan was called up; the presidency banks placed undue facilities at the command of the speculators; and the speculators at 105 have had to lose heavily. The price of 4 per cent. paper in India has not been above 101 for some time past. Besides, no one can have followed the subject during a series of years who will say that 4 per cent. difference in the market value of funds available for State loans as between England and India is too much to allow in favour of the former. Apart from the comparisons that may be instituted in the case of such small transactions as the loans that have

been raised in India during, say, the last fifteen years, there is the much weightier consideration of the relative capacity of the two markets. Five millions demand on the loanable capital of India produces far more pressure than fifteen millions in the London and Europe money markets.

Let us proceed a step farther towards our solution. It will be admitted that if the annual amount of Council bills be reduced, no matter how, the price obtained for the residue will be higher, and the loss by exchange so much less.

But we shall be reminded that the Secretary of State's drafts are only the measure of India's obligatory payments due in England, and that it is to the great fact of these payments that attention should be directed: in a word, that there must be substantial and permanent, as well as formal and temporary reductions in the pressure of Council bills on the Silver Market. Granted: but let it be remembered in the meantime that it has been proved that the diminution of "loss by exchange," induced by taking up loans for India in Europe instead of at Calcutta and Bombay, *does* afford substantial relief. Further, it has been shown that to borrow cheap funds in Europe for the construction of productive public works in India, besides securing an immediate and effective alleviation in the cost of all the Secretary of State's exchange transactions, provides a sinking fund towards keeping down the capital debt. Here it may be well to refer to testimony showing that even without such thorough reform of the Public Works Department as is an essential condition in our plan, there is already tangible proof of the remunerative results of Indian Public Works. The "regular estimates" for the year ending March, 1881, on the three divisions of the whole railway revenue account showed—after all interest charges are paid—a net total profit of £1,095,000; though, as is too well known, the capital cost of all the old guaranteed lines was excessive, and far above what any re-valuation would show. It is true that, taking so-called productive public works as a whole, and grouped, as by the Marquis of Hartington in his statement for the previous three years, there was a deficit of £772,519 for the period. But when we take the proper qualification, thus applied by his Lordship:—"Of course the House is aware that a very considerable number of these works have either been only recently constructed or are not yet fully reproductive, and others are not reproductive at all;" it will be seen that the whole statement is equivalent to an admission or declaration that Indian Public Works when designed economically, effectively constructed, and completed with due celerity—and these conditions must be insisted on—are certain in the aggregate to yield a considerable

margin beyond interest and renewal charges. This deduction sufficiently establishes our case; but it can be easily carried further. It is now admitted that the direct returns on irrigation works exhibit a considerable profit beyond interest and maintenance charges. This has recently been shown in the chapter on Irrigation and Inland Navigation, very properly included by Mr. Juland Danvers with his current report on Indian Railways. That authority states the profit on canals and irrigation works over working expenses, for the year 1879-80, as £882,414, which is 7.9 per cent. on the capital outlay. This leaves ample scope for sinking fund, or utilization of the surplus on further works. The fullest information on this subject was given up to date in the excellent work by Mr. R. B. Buckley, C.E. (W. H. Allen and Co.), of which *The Calcutta Review* remarks:—"This is probably the only book in existence which deals in a comprehensive manner with the Irrigation Works of India." For our immediate purpose it will be more convenient to refer to an article (signed E. E. Oliver) in the same number (143) of that Indian Quarterly, on "The Financial Aspects of Indian Irrigation." The writer, after estimating the influence of water storage and its regulated distribution, under the several aspects of "Commercial, Protective, and Wealth-giving," presents a table exhibiting the financial results from the five groups of tolerably complete systems. This shows an aggregate net revenue of 7.46 per cent. on an outlay of £11,500,800. Thus, as Mr. Oliver sums up, "In round numbers, the capital outlay upon the five groups of canals has been nearly 12 millions sterling, and upon this, the last accounts—which have passed through the fire of the Audit Office—show a clear return of 7½ per cent. Considered, therefore, merely as a commercial speculation, for a Government that can borrow money at 4½ per cent. (3 per cent. in England), the figures may be left to speak for themselves." But the most comprehensive statements on this subject, presenting facts and arguments which are irrefutable, is comprised in a small publication, by that eminent veteran Engineer officer, Sir Arthur Cotton, entitled "Indian Public Works: Reply to the Report of the Committee of the House of Commons (1879), and Other Papers." (Clark: Dorking, 1880.) And, again, in a further brochure by the same master in this subject, entitled *Public Works in Madras* (1881), there are facts and deductions of most telling effect, that claim the close attention of engineers and financiers alike. For those who desire to see the subject treated more strictly, and under the restraints of official position, I would refer to the notable work by the Brothers Strachey, in which the remunerative results of public works in India are effectively demonstrated.

It may then be taken as proved, that by loan funds for Indian public works, being taken up in Europe, not only is there obtained the set off needed to reduce "loss by exchange" to a minimum and check the supersession of silver by Council Bills, but that those transactions, when rightly directed, can be made self-sustaining, and conducive to reduction of India's debt to England.

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Let us now proceed to consider what can be done, by any absolute limitation of India's obligatory payments to England towards restoring the international rupee to its normal value (1s 10½d) and permanently reducing the loss by exchange to a minimum. Let us face the question, Why should not England freely and definitively accept, as we have said, some distinct portion of the extraneous expenditure entailed on India by the circumstances of foreign sale?

Before formulating the audacious suggestion that the British Treasury shall sustain some portion of the cost of maintaining the connection between the two countries, let us point to one measure which would secure immediate and very large financial relief to India without requiring any outlay on the part of England. That is, a Parliamentary guarantee ought to be given for the Indian debt. This measure has been convincingly advocated by Mr. Robert Knight and other well-known writers, and must soon be faced by our responsible administrators. On every ground of political equity and enlightened prudence, England, with her gigantic financial power, is bound to afford to her weak and impecunious dependancy the aid of her prestige and credit. It would be a small thing for England to endorse the public debt of India for the whole of which—it having been raised under Parliamentary sanction—this country is really, though not formally responsible. If the money markets of London and the Continent were conciliated by a formal Parliamentary guarantee being conferred on the Indian debt, the interest charges could gradually be reduced by one-fourth all round. As the total Indian debt, besides that guaranteed on railways, is now about 160 millions, the large saving thus attainable can easily be estimated. In the home accounts for 1879-80 nearly three millions sterling appears as paid for interest; so that nearly £800,000 per year would be saved by guarantee of the sterling portion of the debt alone.

The pecuniary gain that England has derived from our possession of India through her mercantile and professional classes, may be reckoned at scores, if not hundreds of millions sterling. The transfer of wealth from India to England, over and above any pecuniary or

commercial return to India, has been computed as amounting in the period 1800 to 1872 to £1,500,000,000. This is reckoning 5 per cent. interest on the wealth annually derived by England from India; but as capital is worth 9 per cent. in India, the deprivation sustained by the latter country amounts, in the seventy-two years, to the tremendous aggregate of £3,400,000,000. From 1834 to 1872 the transfer of values from India to England, as deducible from trade returns, amounts in principal alone to £453,000,000. (*Vide Summary of Mr. Dadabhai Naorojee's Paper, East India Association Journal*, part 3, vol. ix, pp. 263-5, and part 2, vol. x, pp. 153-8; also *England's Financial Relations with India*, by Mr. Robert Knight, same *Journal*, April, 1868.) (See also Appendix I.)

As to the vast additional political weight in the balance of imperial power that this country has derived from control of India, if Englishmen themselves are unable to realize, or unwilling to confess it, we have only to refer to Continental politicians for full assurance on this head.

When portions of the revenues of a country are expended in a foreign land—be it for services, for interest on debt, or mercantile profits—the drain from the former or dependent country must enrich the latter or foreign country. Chiefly on this ground the late Sir George Wingate advocated that the home charges of the Indian Government should be defrayed from the British Treasury.\* This officer of engineers, one of the founders of the Bombay Land Survey system, was a sound economist and sagacious administrator, whose loyalty and patriotism were above all suspicion. It is more than twenty years since he advocated that just and far-seeing policy, but not a single step has yet been taken in that direction. (See APPENDIX II.) At the time Wingate urged that England should undertake the payment of the Indian home charges the annual amount was only about three millions; now (as averaged by Major Baring in his 1881 statement), it reaches fourteen millions. The account for 1879-80 shows £14,547,663. But if the uncompensated withdrawal of that comparatively small sum in Wingate's time had such an exhausting influence as he described, how much more must India need relief now that the withdrawal is four times as much? Yet when we saw that Lancashire raised a pitiless clamour in order that half a million of import duties should be struck off the Indian revenues lest it interfere with her export of piece-goods, there seemed, at first sight, little

\* "A Few Words on our Financial Relations with India." By Major Wingate, 7th Bombay Engineers, formerly Revenue Survey Commissioner for the Bombay Presidency. (London: Richardson, Brothers, 1869.)

hope of the British people being willing to defray that portion of Indian expenditure which is disbursed in England. But this would indeed go far to an effectual solution of the problem of "loss by exchange." It would be the salvation of India. It would rapidly, and on the soundest economical principles, increase the commercial value of that empire to this its dominant country. Seeing, however, that no such heroic imperialism can be looked for at once, we must be content to urge, but with firmness and persistency, that England shall sustain some particular items or some definite portion of India's expenditure that is disbursed in this country.

There are, for instance, the "absentee allowances" to which attention has recently been called. These payments, being received and spent or invested in England, confer direct and permanent advantage on the taxpayers of this country. What, then, more suitable than for the British Treasury to take on itself the defrayal of these charges, thereby and to that extent accepting an equitable co-operation in the cost of maintaining our Indian Empire? These absentee—that is furlough and pension—allowances are scattered over most of the home accounts of the Indian Government, so that it is not easy to cite a total definite sum under that head; but some approximate amount may be put down. Thus in the payments for 1879-80, the "Superannuated Retired and Compassionate Allowances" stand at £1,322,185, and the "Civil Furlough and Absentee Allowances" at rather less than £300,000. It is under the head Army: "Effective" £1,993,646, and "Non-effective" £2,115,797, that the largest portions of absentee and pensionary allowances are to be found, the last-named sum consisting entirely of charges of that nature, and over £800,000 of the former amount. Thus we have a round sum of about four and a half millions in respect of which there are good arguments supporting the proposition that England might fairly be expected to sustain that portion of the cost of maintaining her domination of India. It is scarcely necessary to observe that had this sum been lifted off the home charges from the period of Mr. Göschel's Committee's report (April, 1876), and the annual pressure of the Council Bills been lessened to that extent, not only would the silver scare have been dissipated, and the "loss by exchange" reduced to a bagatelle, but the chronic drain on Indian revenues incident to foreign rule being relieved to the substantial extent of  $(\frac{1}{2} \times 6\frac{1}{2} =) 26\frac{1}{2}$  millions in the period, the Indian peasantry would have been far better able to sustain the grievous strain of famine, and the country would have more rapidly recovered its prosperity.

There is another obvious principle on which England might be expected to share the cost of maintaining her connection with India. Of the 180,000 men annually voted by the House of Commons as the strength of the British army, fully 60,000 are paid for from the Indian revenues. Why, then, might not the wealthier and master country, in consideration of the large aid thus given to her military power and political prestige, be willing to defray one-third of the whole outlay from Indian revenues made in this country, thereby, as under the hypothesis already stated, affording enormous relief to India?

Apart from these large and, as we contend, equitably demanded concessions towards relief of the financial drain that is exhausting India, of which "loss by exchange" is a mere surface symptom, there are certain items of which the "home charges" ought long since to have been relieved. These are, the outlay in England on Indian administration, amounting to about £250,000 yearly, and the payments by India of £12,000 and £15,000 respectively for the British diplomatic services in Persia and China. As to the two latter, it is downright pitiless exaction to lay these amounts on the Indian revenues, and not another session of Parliament should be allowed to pass without these items being struck off. As to the former charge, it is difficult to see why India should, year after year, pay the salary of one of our Cabinet Ministers and his departmental assistants when the Colonies have never been called on to bear a like charge. Nor is it very creditable to this proud country that one of the most costly public buildings (the India Office) that adorn its metropolis should have been constructed from the sweat of the Indian ryot. It is true that the removal of those twenty-eight lakhs from the tale of the Council bills would make only a slight diminution of loss by exchange; but the fact of there being nearly £300,000 less of unproductive payments annually drawn from India would be an appreciable boon to that country.

There is a certain very special method of lessening the amount of Council drafts, and which was alluded to by the Secretary of State himself, when the subject of absentee allowances was last mentioned in the House of Commons. His lordship remarked: "The only way in which the charge could hereafter be reduced would be the further employment in important positions of natives of India." He added that instructions had been forwarded to the Government of India, by the home Government, impressing the importance of this upon them and the noble Lord appeared confident and hopeful enough to believe that the local authorities in India would give heed to such distasteful instructions. Nothing short of some severe censure, or sentence of

deprivation passed by a Parliamentary vote, or conveyed in peremptory Minute by some Secretary of State more exacting and more fully informed than the recent worthy incumbent of that high office, will avail to induce any appreciable compliance with the just and generous policy now tardily embodied in those instructions, albeit that policy was officially declared and vindicated, now, well-nigh fifty years ago, in one of the most forcible passages of the ever-cloquent Macaulay.\* It is, however, scarcely needful to explain, that the most frank and liberal adoption of the policy of appointing natives of India to high posts in the civil administration of their country could do but little to lessen the total home charges. That courageous and liberal course is, indeed, demanded on the highest political grounds. Its adoption would strengthen our power and sweeten British rule amazingly, and to many localities in India the expenditure therein of the salaries so paid would be like showers in the desert; but, as a whole, the absentee payments to, and remittances by the Civilian portion of the English services in India, do not form any large proportion of, or specially invidious item in the annual outlay of Indian revenues in England.

Apart from these and other politico-financial adjustments whereby the Secretary of State's annual drawings on India might be permanently reduced, loss by exchange being thereby almost extinguished, and the exhausting drain on Indian resources substantially lessened, there remains to be noticed two or three methods of financial administration by which the extreme pressure of Council bills on the money market and consequent depression of exchange rates may be mitigated. The more obvious of these methods is that recently adopted by the India Office, after two or three years of stolid resistance and wasteful delay, namely, the fixing its own minimum price for Council bills instead of helplessly putting them up to a sort of Dutch auction, at which the bankers and brokers used to settle the lowest figure that the necessities of the India Office could compel it to accept. The effect may be briefly stated in the remark, that whereas, under the former system, the rate obtained for the bills was necessarily *under* the equivalent of the market price of bar silver, now the price of bills will yield a rate that must at least be a fraction *above* that of silver, and the India Office will thus lead the market. And it must be remembered that this partial improvement, slight, but real, is due to a practical application, on a very small scale, of the principle which goes to the solution of our problem, namely, that the Secretary of State, as the all-powerful financial agent of the Indian Government, must exercise an option and

\* Speech on East India Company's Charter Bill, July, 1833.



not place himself entirely at the mercy of the money market. In fixing a minimum he accepts the alternative of having to reserve part of his current drafts, thus finding his "set-off," for the nonce, in his cash balance, or in an advance from his bankers. But so long as there is no means taken to diminish the total amount of the year's bills, the money market will only respond to the temporary scarcity of bills by a fractional rate of advance.

Some relief to exchange is hoped for from the sensible course recently adopted, whereby the Indian Government has been permitted, and it in turn has directed its provincial administrations to purchase in the local Indian markets all the materials and commodities that are there available for the public service, instead, as heretofore, of everything that could be bought through the stores' department of the India Office. The fullest adoption of this policy may result in the outlay of a million or rather more in India instead of in England; but as a considerable portion of that might require to be remitted by merchants in India who would purchase material in Europe wherewith to supply the Commissariat and other local departments in India, the relief to the whole exchange account would not be so much as the above-named sum. Nevertheless, the very decided advantage that will accrue to Indian trade and industry from expenditure of revenue where it is raised, even to this moderate extent, affords the best possible reason for perseverance in this new practice of calling supplies from the local markets.

Towards solving our problem there is one proposal, purely financial in character, which cannot well be classified under any division of the subject as yet passed in review, namely, that of accepting in silver, instead of in sterling gold, loans taken up in Europe on Indian account, the interest and principal being also payable in silver. One need reckon little of the objection that it seems anomalous for the Secretary of State to invite loans in a metal which is *per se* of no use in discharging liabilities that come on him as demands for gold. It is assumed by those who advocate this peculiar course that the subscribers to such loans will offer the principal and be willing to take the interest in gold at rates equivalent to the market price of silver in London at the time. Seeing that, under this supposition, silver will not pass, or be called into consumption, it is not easy to say how the operation could raise the exchange value of the rupee more than would any gold loan raised in London in the usual way. Very nice judgment in matters of monetary science is required in order to form any tangible estimate as to the results of such an hypothetical transaction. The experiment ought, at any rate, to be welcome to those persons—including two or

three past Financial Ministers—who think they have demonstrated the unsoundness of the plan of raising Indian loans in sterling, when they remark that “no stability can be attained if the State owes [or borrows] a large sum of money in a currency other than that in which it collects its revenue.” This apparently conclusive, but really superficial proposition quite ignores the consideration that if silver is cheap gold will buy so much more of it; and that is one obvious advantage to which those look who advocate the plan we are now noticing. The proposal has sufficient promise in it to warrant its being put to the test of experiment when the first suitable opportunity arises. So far as this plan of raising a silver loan in Europe proceeds on the common-sense method of borrowing in the cheapest market, and so far as its adoption would provide the needed set off to excess of the Secretary of State's drafts, it may be regarded as in accordance with the solution proposed in this paper.

Let me now briefly summarize the arguments advanced—

a. Though the depreciation of silver has during the last year or two been checked, the fact remains that a heavy “loss by exchange” is being sustained by the Indian Government on its large and increasing remittances for disbursement in England by the Secretary of State; similar loss is sustained by private remitters; Secretaries of State and Finance Ministers all confess their helplessness to deal with or overcome this difficulty. But effort must be made to find some remedy for the evil.

b. The direct cause of the increased “loss by exchange” during the last ten years, as shown by Mr. Göschel's Silver Committee of 1876, is due to gradual increase in the Home Charges, but more to the absence of “set-off” to the Secretary of State's drafts on India, which “set-off” had up to about 1872 been supplied during a series of years by capital of the guaranteed railway companies paid into the India Office Treasury.

c. Such “set-off” should now be sought (1) when the Government of India is compelled by State necessities to borrow—by taking up its loans in England, instead of in India; and (2) by a vigorous carrying out of productive public works by means of the cheap funds of Europe.

d. Contrary to the popular assumption and superficial view, this course need not add to the burden of home charges, because, as fair arithmetical comparison shows, the very large immediate relief in diminishing “loss by exchange” outweighs the small additional charge for interest paid in England; and the profits from properly-constructed public works will provide a sinking fund to keep down the capital debt.

e. But the home charges debitable to India may, and should be definitively diminished. There are cogent reasons why the British Treasury should sustain portions, or a certain definite proportion of those charges. In the first place, the Indian debt should be guaranteed by Parliament, thereby largely reducing the interest charge. The outlay in England on Indian administration should be defrayed by England just in the same way as the disbursements of the Colonial Office; the cost incurred at the depôts of regiments serving in India, the payments for pensions and furlough allowances—all being items of Indian home payments directly contributing to English resources,—might suitably be paid from the British revenue.

These grants in aid from England of two or three millions per annum would not only save the cost of remittance on that amount, but by relieving India of foreign payments to that extent, would do much to alleviate her condition and check growing impecuniosity.

f. By a frank and faithful adoption of the policy of utilizing the people of India in the work of its administration, and lessening the number of European employés, the remittance account would be lessened, and the country would profit by salaries being spent within its borders, instead of in Europe.

g. Amongst minor mitigations of remittance charges, the more general purchase in India of stores and material for the public service—instead of these being all sent from England—ought to be followed up, as far as possible; the new practice of fixing a minimum price for Council bills, instead of offering them unconditionally, will secure a fractional better price, and should be acted on, as indicating that the Secretary of State is not quite at the mercy of the banking interest. The advertising for loans in silver, instead of sterling rates, should be fairly tried when next loans have to be raised, but this should be in London, as the cheapest market.

## APPENDIX I.

Though not strictly necessary in our treatment of the subject, it may be well here to record certain facts relating to the large and continuous excess of India's exports over her imports. To this anomaly there is no parallel in extent in commercial history. It is due chiefly to the circumstance that India is under foreign rule, and that consequently she has annually to make large non-commercial payments for which no material return is made. Here are some of the figures that exhibit the results of this anomaly\* :—

Total Exports of India, Merchandise and Treasure, from 1835 to 1872 . . . . .	£1,120,000,000
Add 15 per cent. as estimate of profits on export valuations . . . . .	168,000,000
Public debt incurred in the period, say . . . . .	50,000,000
Ditto, ditto Guaranteed Railways . . . . .	100,000,000
	<hr/> 1,438,000,000
Total Imports for same period . . . . .	943,000,000
Deficit . . . . .	<hr/> 495,000,000
Deduct forty millions paid as interest on Guaranteed Railways; and fifty-five as representing portion of public debt interest on productive public works and private industrial works . . . . .	<hr/> 95,000,000
India's Commercial Deficit during the thirty-seven years from 1835 to 1872 . . . . .	400,000,000
Or, if the railways be regarded as capital stock and valued at cost price, the deficit stands at . . . . .	300,000,000

For recent years, that is from 1873 to 1881 (March 31st), both inclusive, the following are the figures we have compiled from the official statements :—

Exports of India for the nine years—	
Merchandise and Treasure . . . . .	£574,360,915
Imports do. do. . . . .	432,058,267
Deficit that is seen . . . . .	<hr/> 142,302,648
Add 15 per cent. for proper valuation of merchandise exports . . . . .	83,013,675
Public debt increased in the period £52,730,000, less £29,730,000 incurred in purchase of East India Railway . . . . .	<hr/> 13,000,000
Deficit not seen . . . . .	<hr/> 126,013,675
India's real commercial deficit for the nine years . . . . .	£268,316,323

\* Readjusted from summary of Mr. Dadabhoj Nowrojee's paper on "Poverty of India," part 2, vol. x., pp. 157-8. *East India Association Journal*, 1878.

## APPENDIX II.

There does not seem to be any insuperable difficulty in the way of discovering the principles upon which the financial relations of India with this country should be settled. With reference to its economical effects upon the condition of India, the tribute paid to Great Britain is by far the most objectionable feature in our existing policy. Taxes spent in the country from which they are raised are totally different in their effect from taxes raised in one country and spent in another. In the former case, the taxes collected from the population at large are paid away to the portion of the population engaged in the service of Government, through whose expenditure they are again returned to the industrious classes. They occasion a different distribution, but no loss of national income, and hence it is, that in countries advanced in civilization, in which the productive powers of man are augmented by mechanical contrivances, and a judicious use of the powers of nature, an enormous taxation may be realized with singularly little pressure upon the community. But the case is wholly different when the taxes are not spent in the country from which they are raised. In this case, they constitute no mere transfer of a portion of the national income from one set of citizens to another, but an absolute loss and extinction of the whole amount withdrawn from the taxed country. As regards its effects on national production, the whole amount might as well be thrown into the sea as transferred to another country, for no portion of it will return from the latter to the taxed country in any shape whatsoever. Such is the nature of the tribute we have so long exacted from India. And the burthen of a tribute is aggravated in proportion as the tributary country is backward in civilization, and possesses few mechanical and scientific aids for augmenting its productive power; for the net income of such a country, or the surplus of the gross produce of the nation's industry over and above the quantity required to replace the amount consumed in production, must necessarily be small. A country in the high state of industrial development of our own, could probably pay in tribute one half of its whole taxation more easily than India could pay one tenth, which was not far from the proportion that the tribute bore to the gross revenues before the outbreak of the mutiny. From this explanation, some faint conception may be formed of the cruel, crushing effect of the tribute upon India. Let the reader endeavour to picture to himself what the present condition of India would have been, had the eighty or ninety millions of Indian taxes, which have been transferred to this country in the present century, been spent in India upon reproductive public works calculated to augment the producing powers of that country. India would long ago have been penetrated in every direction by roads, canals, and railroads. Agricultural produce would, by means of the facilities of transit thus afforded, have been drawn from the remotest parts of the interior to the seaboard for export to foreign countries; and those regions which now cannot

import, because they cannot export, would have become consumers of foreign commodities in exchange for the produce thus sent away. It is probably a poor and inadequate conception to suppose that the net surplus of Indian industry beyond the cost of production, as distinguished from the gross production, would by these means have been doubled or trebled. And as this net surplus forms the fund by means of which a country obtains its imports of foreign commodities, it is not unreasonable to infer that the exports and imports of India, would have been double or treble what they are now. Let the people, and especially the manufacturers of this country, lay it to heart, that but for this cruel and sordid tribute, by which the total annual income of this country has been augmented by two to three [of late years say ten] millions, our exports [of merchandise] to India, instead of being from ten to sixteen [thirty to forty] millions might have been from twenty to fifty [sixty to one and fifty hundred] millions. For an income of two to three [say ten] millions we have sacrificed a trade of ten to twenty-five [forty to eighty] millions. Let the people of England, and especially the manufacturers of Lancashire, count the cost.

The Indian tribute, whether weighed in the scales of justice or viewed in the light of our own true interest, will be found to be not variance with humanity, with common sense, and with the received maxims of economical science. It would be true wisdom, then, to provide for the future payment of such of the home charges of the Indian Government as really form tribute, out of the Imperial Exchequer. These charges would probably be found to be the dividends on East India stock; interest on home debt; the salaries of officers and establishments and cost of buildings connected with the Home Department of the Indian Government; furlough and retired pay to members of the Indian military and civil services, when at home; charges of all descriptions paid in this country, connected with British troops serving in India, except for the purchase of stores to be sent to India; and a portion of the cost of transporting British troops to and from India. In regard to the last item, it would seem to be a fair and most convenient arrangement for the British Government to pay the cost of chartering ships, &c., for the transport of troops to India, and for the Indian Government to bear the cost of sending them home again. In fine, the tribute is made up of such items of charge, connected with the Government of India, as are spent in this country, and for which India receives no material equivalent in any form. In defining the future financial relations of India and Great Britain, it would seem to be a most just and equitable arrangement to require each country to furnish that portion of the total cost of Government, which is expended within its own limits and goes to the support of its own industry. Upon this principle, British troops, actually serving in India, would not have to be supported by this country, as in the case of the Colonies, but would be paid by India [as they are now], and only such officers and men of Indian regiments as might happen to be at home would be paid from the British Exchequer.

What appears to be most urgently required is the appointment

of a Royal Commission of first-rate men, thoroughly competent to the investigation of economical, political, and moral questions, for the purpose of inquiring into the present financial relations of Great Britain and India, as compared with those of Great Britain and our other dependencies and colonies; and of ascertaining the various items of the home charges which may properly be viewed as a tribute paid by India to this country, as well as their total amount since the commencement of the present century; and to report upon the probable effect of this tribute on the condition of India, and the best means of adjusting the financial relations of India and Great Britain for the future, so as to secure the greatest amount of advantage to both countries. . . . Such a Commission would have no occasion to proceed to India for the purpose of collecting information, as the whole of the data necessary for the formation of a sound judgment upon all the questions that would be referred to them for investigation, is already to be found in this country in an available shape. A few months at the utmost would suffice for the prosecution of their enquiries and the preparation of their report, which would go forth to the country with all the weight of authority attached to the conclusions of men selected for eminent ability and familiarity with the questions submitted to their judgment. . . . Were India to be relieved of the cruel burden of the tribute, and the whole of the taxes raised in India to be spent in India, the revenue of that country would soon acquire a degree of elasticity, of which we have at present little expectation, and certain branches of the existing taxation might even be safely increased, so as to ensure a sufficient surplus revenue for developing the resources of the country by means of reproductive public works.—*A Few Words on our Financial Relations with India.* By Major (afterwards Colonel Sir George) Wingate, R.E.: Richardson Brothers, 1859, pp. 57-64.

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See also the concluding portion of J. S. Mill's chapter on the *Distribution of the Precious Metals*.

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THE CHAIRMAN observed that Mr. Wood had stated his problem, he had enunciated his paradox and given them his solution. This solution was so diametrically opposed to the present policy, that he with confidence invited discussion on the paper. He (the Chairman) had received a letter from Sir Arthur Cotton, to the contents of which he briefly referred.

Sir ARTHUR COTTON wrote as follows:—"As the oldest "engineer now remaining of those connected with Public Works in "India, I beg to be allowed to add a few remarks on particular points

" in the paper which has been read. Though no financier, but only a  
 " drawer of water, perhaps I may be permitted to say that so far as I  
 " am capable of giving an opinion on the paper, I highly approve of  
 " it, and consider it an exceedingly able and highly important one,  
 " and as worthy of the attention of the Association and all connected  
 " with India as any that could be brought before them. A large  
 " portion of it does not call for great statesmen or financiers, but is a  
 " simple appeal to the principles of justice and common sense. But of  
 " course, the points I ought to attempt to help about are those with  
 " which alone I am conversant, viz., those connected with Public  
 " Works. And the first is to ask attention to the astonishing progress  
 " of Public Opinion on this subject since I was sent to Tanjore,  
 " fifty years ago. It was then thought that I was a simpleton to  
 " suppose that the rulers would be so rash as to spend a lac of rupees  
 " on the Colleroon Anicut. Since that, there has been spent on  
 " Public Works, and the interest accumulated before they paid their  
 " way, 200 millions, or 20,000 lacs, and the actual receipts from one  
 " single work is now a lac of rupees per day. On irrigation works alone  
 " more than 2000 lacs have been already spent, while some of them  
 " are not yet finished. This looking back is a matter of extreme  
 " importance. It helps us to jump over the present great want of  
 " statesmen and engineers capable of undertaking great works, and  
 " confidently to look forward to the time when there will assuredly  
 " be men who will make the present works look small, compared with  
 " those that they will project; men who will consider the undonable,  
 " nay, undenied returns from works already executed, which far  
 " exceed the Government interest even in direct payments into the  
 " Treasury alone, as a sufficient warrant for a far more extended  
 " improvement of the country entrusted to us. At least, 500 millions  
 " more could be laid out more effectively than what has been already  
 " expended, with the enormous advantage of our great experience.  
 " But one of the first points I wish to press upon the public is that  
 " without exception, all the papers on the Public Records omit any  
 " reference to these two points, viz., first, the indirect addition to  
 " the revenue following the works, in the increase of ordinary revenue  
 " due to the increased wealth produced by these Works; thus, while  
 " the Water-rate of the Godavery district is about £180,000, the  
 " increase of revenue in that district is about £400,000: almost the  
 " whole of it the effect of the Works. It is quite certain that the  
 " rapid increase of revenue of late years is due to Public Works.  
 " But further, only think of these papers without exception, professing  
 " to give a statesman's view of the results of the Works, not containing



"a single word about the increase of the income of the country  
 "produced by them. For instance, the average cost of irrigation by  
 "all the works is about £2 an acre, and the (annual) increase of  
 "produce alone in grain and straw is certainly not less than £1. 10s,  
 "besides all the savings from cheap carriage, &c. All this in  
 "money, to say nothing of sanitation, provision against famine, and  
 "innumerable other advantages. Are these things nothing? Are  
 "the Government shopkeepers, whose only concern is the receipts into  
 "the Treasury? The next point I wish earnestly to press upon the  
 "Association, is the present stoppage of the works, except a small  
 "extension of railways. There are indeed two sides to every question.  
 "I lately read in a report of a late head of the Irrigation Department  
 "in Madras, this folly, which was the fundamental point of the paper—  
 "'As it is now acknowledged that nothing can be done further as a  
 "provision against famine in the way of irrigation.' Suppose the  
 "Premier were to introduce the next Session with this declaration,  
 "'It is now acknowledged that nothing can be done to stop murder in  
 "Ireland, and so open the way for the investment of British capital  
 "in that paralyzed country,' what would the country say? They  
 "would certainly think that at all events they must have a new  
 "Premier; one who would at least try if something could not be  
 "done. But now I beg you to hear the other side of this question.  
 "I assert that I challenge the whole world to produce such an opening  
 "for material improvement as the Madras Presidency offers. There  
 "is there an immense basin capable of holding 5000 million cubic  
 "yards of water, on the very top of the Presidency 1600 feet above  
 "the sea, commanding the whole country, supplied by a never-failing  
 "river. That would carry into it 30 million cubic yards a year, which  
 "only requires a tank 100 feet high, exactly similar to the one lately  
 "constructed by Gen. Fyffe at Poonah. This is perfectly well-known  
 "and has been reported upon by one of the ablest Indian engineers,  
 "Col. Fischer. There is no dispute whatever about this; there is no  
 "pretence of any objection to it whatever. We have an engineer  
 "about whose competency to project the work there is no sort of  
 "objection, from his having constructed the magnificent tanks at  
 "Poonah and other tanks in Bombay. The work might cost  
 "£200,000. It would supply, during the year, three or four times the  
 "quantity of water it would contain at one time, or at least 15,000  
 "million cubic yards of water. The cost of this would therefore be,  
 "allowing 4 per cent. for interest and management, £8000 a year; or  
 "the cost of water for it would be 2 millions cubic yards per £, while  
 "throughout India water is raised for millions of wells at a cost of

"about 3000 cubic yards per £;—700 times the above cost. This,  
 "however, does not include the cost of distribution. But a large  
 "portion of the water would be at once available for the four great  
 "systems of irrigation now in operation, viz.:—Godavery, Kistnah,  
 "Toomhadra and Nelloor, to which the rivers and canals now in use  
 "would convey the water without any new works, thus securing them  
 "a full supply during the dry season. And the further distribution  
 "could be effected by contour canals north to the Godavery and south  
 "to the Canvery about 1000 miles, irrigating a vast extent of the  
 "upper country and conveying water to thousands of the Carnatic  
 "tanks which are now dependent upon the local rains and which so  
 "sadly failed in the late famine. Thus the Madras Presidency,  
 "instead of being incapable of any provision against famine, offers  
 "certainly as fine a field for improvement as any country in the  
 "world. This work alone would render famine even under such a  
 "failure of rains as the last absolutely impossible. This canal would  
 "not only provide an immense extent of certain irrigation, but it  
 "would form a highway capable of carrying any amount of grain at  
 "a nominal cost of carriage from other parts of India. One more point  
 "I beg to advert to, viz.:—the immediate effect of the expenditure of  
 "capital and produce to all classes. The expenditure of 10 lacs  
 "a year in a district paying 20 or 30 lacs would make an instantaneous  
 "change. Nothing for instance could be found so effective in the  
 "Deccan, in the present state of things, whatever may ultimately  
 "be done in the way of administration. Surely these things  
 "have a direct bearing on the subject of the paper read. The  
 "whole matter of the improvement of the condition of India and its  
 "revenue lies in the smallest possible compass. First, the works  
 "already constructed in all the disadvantages of apprenticeship are in  
 "every respect an undenied success, even in the comparatively small  
 "point of direct treasury returns; second, there is an unlimited field  
 "for their extension; third, there is not only an unlimited supply of  
 "British capital at 3 per cent., but at this time almost as urgent a  
 "demand for a field for it, as there is for the distribution of water  
 "in India; fourth, the relief for the execution of such works is  
 "instantaneous, both to the people who are to have them and to the  
 "people who supply the capital. I must add one more remark. The  
 "paper appended to the main one, that by Col. Wingate, concludes  
 "thus:—'So as to ensure a sufficient surplus revenue for developing  
 "the resources of the country by means of Public Works.' This is  
 "continually said, What upon earth has a surplus revenue to do with  
 "the extension of Public Works? Did the English Railways depend

"upon the Surplus Revenue? Nay. Did Indian railways want for "surplus revenue? If there is an absolute certainty, as far as such "things can be certain, that works will repay 8 or 10 per cent. on "direct revenue, at least as much more by increasing the ordinary "revenue, and 5 or 10 times to the income of the people, what more "can be required?"

Mr. EDMUND KIMBER said, they heard from the Chairman that the policy advocated by Mr. W. Martin Wood was the direct opposite to that in vogue at present in the Indian Government. For his part he did not gather that from the paper. So far as he could see of the way in which the Indian Empire is administered he should say the Indian Government had no policy at all; or rather that they employed one policy in one direction and a different policy in another. (Hear, hear.) Major Baring, the Indian Minister of Finance, had himself said he was in favour of Public Works being undertaken without a State guarantee, and of private enterprise being encouraged as much as possible, while the English officials now advocated the reverse. The central point of Mr. Wood's address was to be found in the following passage:—"It may be taken as proved that by loan funds for Indian "Public Works, being taken up by Europe, not only is there obtained "the needed set off to reduce 'loss by exchange' to a minimum and "check the suppression of silver by Council Bills, but that those "transactions, when rightly directed, can be made self-sustaining, and "conducive to the reduction of India's debt to England." Well, he (Mr. Kimber) quite agreed with this; but no Indian Finance Minister had ever denied it—at least none who had brought his brains to bear upon the subject. Mr. Wood urged that a set off should be sought (1) "When the Government of India is compelled by State necessities to "borrow by taking up its loans in England, instead of in India; and "(2) by a vigorous carrying out of productive Public Works by means "of the cheap funds of Europe." These were his two main proposals, and his subsequent recommendations were of a minor kind in comparison. Now, he (Mr. Kimber) quite agreed with the recommendation, that whenever the Government of India are compelled to borrow, they should borrow in England; but the awkward fact is, that while borrowing is an occasional process, the remission of money to England is a continual necessity, and goes on month by month. With Mr. Wood's second proposal—"a vigorous and judicious extension of "Public Works"—he entirely agreed. Major Baring thought so too; and if they looked at the Prospectus and the Articles of Association of the newly-launched Bengal and North Western Railway, they

would see in that "new departure," an effort to place an unguaranteed Public Work. But the project was an absolute failure so far as the Stock Exchange and the investing public were concerned; although the fault did not arise from the scheme itself, but entirely with the Indian administrators in this country. Would any one imagine that, positively under the sanction of the Government, interest would be authorized to be paid out of capital while the line was under construction? (Hear, hear.) Then half of the profits over 6 per cent. per annum were to be given to the Government; and there were other clauses in the concession which no sensible man of business could ever have advised the Government to adopt. And hence a sound and good departure from the old principle, and a splendid idea, had been ruinously perverted by the imposition of odious terms; the shares of the Railway have not only fallen to a heavy discount, but all Railway investments in India have been injuriously affected in the minds of investing Englishmen. This blunder could only be ascribed to the absolute lack of business capacity at Government head-quarters, and until that has been developed in official places both here and in India, it is vain to hope for India's industrial prosperity. Then, again, was it supposed that the small sum asked for the construction of the Bengal and North Western Railway is all that India requires in the matter of Public Works? Is it not notorious that there are other vast and useful schemes awaiting opportunity to be launched—an opportunity which has been indefinitely postponed by the unhappy way in which the Bengal and North Western Railway affairs were managed? Mr. Wood's complaint was a very just one; and the remedy is to be found in the facts he had furnished. The requirements of India are those which Englishmen would willingly stretch out their hand to furnish; and India could regularly and constantly, and with an even pace borrow freely in the London market upon just terms; and in time the Public Works thereby constructed would, so open up and develop the country that its commercial products would very quickly restore any balance against it. But so long as they have officials endeavouring to frustrate the natural laws of supply and demand, and interposing with such conditions and obligations upon borrowers and lenders, conditions so entirely different from the policy of the House of Commons in their private bill legislation, so long will the poor Indians have to endure the grievous loss by exchange, and so long will the financial situation of the Indian Government be a constant source of anxiety.

Mr. A. K. CONNELL said, that in spite of the sonorous periods of the last speaker, he was not disposed to agree with him on the

subject of Public Works in India. He had been in India and had tried to find out from an independent standpoint the position of things, and relying on what he learned, he begged to differ from Mr. Wood. He had proposed a most curious, a most profound paradox, viz., that having got into difficulties of a financial character owing to the policy of borrowing, we are to go on borrowing *ad libitum*. In Appendix 2, to the paper, allusion was made to the great difficulties that meet us in India, being due to the general drain on the country, and yet it was proposed to increase that drain still further, that drain so far as it was caused by loss by exchange, amounted to about 3 millions now, about  $1\frac{1}{2}$  million being caused by interest on Public Works' Loans and the remainder by the remittances on the ordinary expenditure account. To return, however, to the main question. The reason why he (the speaker) differed most strongly from the reader of the paper was, that the whole question hinged upon the consideration, "Do Public Works in India pay?" He was referred to official reports, to the writings of Sir Arthur Cotton and Sir John Strachey, but he was not disposed to accept them as final and absolute authorities on the point. First, as regards railways. 'Do they pay?' We have already guaranteed State railways to the amount of about 125 millions, and taken together they at present pay their interest, but in view of the optimistic budget speeches of Lord Hartington and the opinions enunciated alike by Liberals and Conservatives, it was almost forgotten that in years past these railways did not pay, and the sums paid to meet interest amounted to over 26 millions. Taking this into account with interest thereon, it came to this: that although railways are said to pay, if you set against them the interest that ought to be paid on the arrears of interest, the supposed earnings would be entirely absorbed. Then beyond this, there was the loss by exchange, a necessary item in the problem, so that taking the two things together, to say that railways pay was no more than an outrageous fallacy. Then as to canals. He had tried to verify official reports such as those given by Mr. Wood, but when he looked into the matter closely, he could not make out whether interest had been calculated on the same that had been paid out of the ordinary revenues, before the Canals produced revenue sufficient to meet the interest charges. Nor could he quite make out whether some of the public works' establishment charges were included in the Canal accounts. That was a point he was unable to clear up; perhaps some one present could enlighten him. Then again they were told that canals had produced extra returns from land revenue, because of the improvement of the soil by irrigation. That might be true, especially as regards the Madras Canals, but

he had doubts about it in some cases. He had serious doubts, for instance, whether the line of canals had not had the effect of drawing off the water from private wells; and again, how far had mischief been caused in Northern India by the Canals disturbing the natural drainage of the soil? If added to such considerations as these, account was taken of the loss caused by parts of the soil being rendered sterile, through being too much drenched by canal water and by neglect of tanks and injury to wells, and then regard was paid to establishment charges to which he had alluded, and the arrears of interest, it was very questionable whether canals actually pay. He knew that Sir Arthur Cotton contended that 30 millions' expenditure would save the whole of India from famine; but he (the speaker) had heard authorities say that Sir Arthur's experience was gained more particularly in Madras, where the conditions were different to those in other parts of the country. He did not know how far that was true, but he asked, after taking everything into account, is it certain that existing public works pay, and if not now, is it certain that future ones will pay better? He thought not, but that they would probably not show a better return. One of the speakers had mentioned the case of a railway which the Government had tried to get private enterprise to guarantee. But the result was to prove that the only guarantee that would be worked upon was that of the Government, and only with Government at the back could works be undertaken. That he contended of itself was an indication of independent opinion in reference to such works. The funds for works were to be raised in three ways: in England; in Calcutta from the English mercantile houses; and from the natives; the question was, how far had Government done its best, as in the case of the Mattra Hattas line, to borrow from natives so as to keep the profits in the country? Mr. Wood had conclusively proved that if you are going to borrow from English merchants, it is better to borrow in London than Calcutta. Then, again, it seemed to him that the question how to get Government out of its difficulty of the loss by exchange, was to be followed up by the question, what is the best policy for the country in the long run? It was not alone necessary to get Government out of its difficulties, but to meet the growing pressure of the population of India, and it seemed to him, that to go on borrowing in England and enduring more loss by exchange, would simply land them in a worse difficulty. For a country with such a population and so little surplus wealth could not go on borrowing at the present rate. He certainly required more information before agreeing on the proposals of Mr. Wood.

Mr. E. JENKINS said, that whether they were agreed or not with the principles laid down in the paper which had been read, at all events all those who were really interested in the development of the resources of India must feel very grateful that the question should have been raised and treated so ably as it had been by Mr. Wood. (Hear, hear.) It was impossible to rapidly digest the various suggestions and considerations furnished in the paper; and hence the very few remarks he would venture to make would be offered with a great deal of reserve. He might point out that the remedy suggested by Mr. Wood could be very simply stated. It is that, instead of India's continually sending money to England, you should reverse the process, and send money to India. The question is, how can this be done? And there we come to the real difficulty which has puzzled much greater statesmen and thinkers than were likely to address the East India Association that day. The main points of the paper which had been read appeared to be this:—Can we, in any way, manage to reduce the debt which India is constantly owing to England by any legitimate process to be employed by the India Office here or the Indian Government in India? And, in answering that, Mr. Wood had put forward one or two specifics which he (Mr. Jenkins) feared must be immediately discarded as quite impracticable. He (Mr. Jenkins) could not think that it will ever be possible to induce the people of this country to assent to make the National Debt of India a part of the National Debt of Great Britain. In arguing such a question they must look at it as practical politicians, and ask whether the thing is possible; and he feared there could be only one reply. He observed Sir George Balfour, M.P., in the room, and would appeal to his intimate knowledge and lengthened experience of what an English Government are likely to do, to say whether there was the least probability that it would ever be possible to induce Parliament to assume the liability for the debt of India. It was but too certain that not even the arguments of Mr. Wood or anybody else would induce the people of this country to accept that part of his solution of the problem. Then, coming to the question of raising capital in this country for the greater development of India, it would be observed that both the preceding speakers adverted largely to it. He was inclined to think that Mr. Connell was scarcely fair to Mr. Kimber, and failed to appreciate what his argument was. The question whether or not public works in India can be made to pay is one that he could scarcely have thought likely to have been raised; because the shareholders of the various railways guaranteed by the Government find their stocks are at a considerable premium owing to earnings reaching as high as 7 or

7½ per cent. per annum. These persons at any rate would know whether there are not enterprises in India which have paid and will pay extremely well, despite the opinion of Mr. Connell. It is not enough to go back to the past, when strategic railways were being built, and the workmen costing a great deal of money: in the present day the fact is demonstrated that it is possible to build railways which will pay the investor a fair amount of interest upon his capital. Mr. Kimber had recalled the fact that there are two ways by which money can be raised for this purpose. The Government can build the railway itself by giving a guarantee of a minimum rate of interest. That policy is a very fair one, and it is one that is strongly supported in the India Office by high officials. That policy has the merit of easy intelligibility, and it offers one material advantage. When the Indian Government gives a guarantee it is able to reserve for the benefit of the Indian people half the net profits over and above the guaranteed interest; and the Indian people say they prefer this rather than that the whole of the profits should go into the hands of absent private capitalists in Great Britain. We come, then, to the question whether the best way in which the Indian Government can promote the development of the railway system in India is to assume the liability and guarantee the interest—in which case the Indian Government becomes the practical owner of the railway; or whether it is best to hand over to private enterprise the development of the minor railways of India without guarantee. He would not attack the Government as Mr. Kimber had felt justified in doing, but he would say this—either one policy should be adopted or the other. At present the policy is a mongrel one. If you take the Southern Mahratta Railway, for instance, you will find that the Government gives the land—land which is worth nothing; and it finds ample compensation in the fact that the extension of a railroad through the country must develop its resources and stimulate its trade. So that when the Government say that “if we give you the land you ought to give us a share of the profits,” they were asking what he considered was not a fair thing at all. (Hear, hear.) But, of course, if the Government gives a guarantee, it is entitled to something in return for its guarantee; but if it simply gives the land, it finds ample compensation in the development of the district. In the case of the Southern Mahratta Railway it gives a guarantee of only 3½ per cent., and it is to take three-fourths of the profit over 3½ per cent. Now, is that a fair bargain or one likely to lead the British investor to look kindly on projects for extending the Indian railway system? The case of the Bengal and North Western Railway had been cited by Mr. Kimber. Here the Government gives



nothing but the land, and yet it demands from the British investor that, after 6 per cent. has been paid, half the profits are to go to the Government, the mail service is to be provided for nothing, officials are to travel free, and at the end of ninety years the company is to lose its property altogether. Was that a fair chance or bargain to offer the British investor? If not, the Indian Government, so far from promoting private enterprise in India, is doing what it can to prevent and discourage it. He only desired to offer these few remarks on one of the great number of questions raised in the paper; and he trusted the East India Association would provide another opportunity for treating adequately the points so admirably dealt with by Mr. Wood. (Hear, hear.)

Mr. W. CARLTON WOOD said, that he had expected to find some reference in the paper to the exchange question as connected with the depreciation of silver. It was well-known that the depreciation in exchange occurred at the same time as the demonetization of silver in Germany, which indeed was regarded as one of the causes of depreciation. That this demonetization exists to a larger extent than formerly is well-known, and he should have been glad if Mr. Wood had treated this part of the subject, because, of necessity, Council Bills go *pari passu* with the current price of silver, and if you increase the demand for silver, or keep down the supply on the market, you necessarily raise the exchange. They had heard of a Council held on the subject of bi-metalism; and he thought it still an open question whether this country should not take that matter up. In view of the remarks made by the last speaker, he suggested that this was a fair subject for discussion arising out of Mr. Wood's able paper, for so long as silver remains in excess of demand, exchange must keep down. He would remark that it was not India only that was affected by the depreciation of silver.

Mr. ROGERS said, he merely wished to make a remark with reference to the statement made by Mr. Connell as to the effect of canals on wells. The gentleman he referred to appeared to have resided only a year in India, and where he could have learned that canals drained wells, he (Mr. Rogers) had not the slightest conception. The water in canals being derived from extraneous sources, it was far more likely that it would percolate out and fill wells in the neighbourhood. He believed the same speaker had remarked that tanks had been in some way or other affected or destroyed by the construction of canals. How this was made out he (Mr. Rogers) was also at a loss to understand. With regard to the

paper, he generally agreed with Mr. Wood in his arguments. Especially in reference to the silver question, he thought that if you could by any means increase the demand for silver you would in that way raise its value, and affect the question of exchange, and he regarded the method suggested by Mr. Wood as one amongst others that would prove beneficial.

Mr. CONNELL took leave to remark that all that he intended to say was, that in Southern India as the Government turned its attention to canals, it allowed tanks to decay, and he thought this was shown by the Famine Report recently issued. As regarded the wells, he had no absolute authority, beyond saying that when he was in the North West Provinces, the opinion was common, and articles appeared in *The Pioneer*, about canals injuring wells by drawing off the water from them.

General Sir GEORGE BALFOUR, K.C.B., M.P., said, he had come merely to listen, because he knew that Mr. Martin Wood was a gentleman who was well fitted to instruct, having had ample opportunities of studying the three great questions of Indian Public Works' Finance, Exchanges, and Loans, treated of in the paper just read. It was not then his wish to discuss these matters, in any detail, for he had always felt that they were subjects involving considerations of great complexity, and he knew that the ablest men have been at a loss to decide on their treatment; indeed so far from attempting a solution of these difficult problems, they had avoided dealing with them, whenever possible. At the same time he fully recognized that Mr. Wood had done good work by his collection of the many factors involved in these questions, for however great the present unwillingness of statesmen may be, to find out and apply remedies, yet as the evils exist, these must eventually be considered, and remedies applied, hence the present paper and discussion cannot fail to be useful. While he (Sir George Balfour) hesitated to say how far Mr. Wood had succeeded towards finding a solution for the losses by the low exchange value of the rupee, he could have wished that Mr. Wood had been fuller in his treatment of one or two points. For instance, the doubt had often occurred to him (Sir George Balfour) whether the "loss by exchange" was wholly a real financial loss to India. By the great fall in exchange, the rupee has been purchased relatively cheaply, and as the purchasing value of that rupee, in India, had not been lessened, it appeared as if the enormous increase in the exports from India had thereby been encouraged, and, apparently, if the exchange was more lowered, then

the exports would continue to swell, and probably benefit the people of India. He merely mentioned this one result, not that he wished to trace too close a connection between the value of the rupee and the large exports, for he fully knew that other causes may have led to the fall in this value, such as the excessive increase in the amount of bills drawn on India to meet the home charges. (Statistics illustrating this)—

*Showing the rate of Exchange on the average per rupee for Bills drawn on India, and amount of Bills so drawn in England by India Office.*

Average rate per Rupee obtained for Bills on India.			Bills of Exchange drawn on on India.		Average rate per Rupee obtained for Bills on India.			Bills of Exchange drawn on on India.	
Pence.			£		Pence.			£	
1861-62	...	23½	1,193,729		1871-72	...	28½	10,810,339	
1862-63	...	23½	6,641,576		1872-73	...	22½	13,989,095	
1863-64	...	23½	8,979,521		1873-74	...	22½	18,285,678	
1864-65	...	23½	6,789,473		1874-75	...	22½	10,841,815	
1865-66	...	23½	8,998,999		1875-76	...	21½	12,889,613	
1866-67	...	23	5,613,746		1876-77	...	20½	12,895,800	
1867-68	...	23½	4,137,285		1877-78	...	20½	10,134,455	
1868-69	...	23½	8,705,541		1878-79	...	19½	13,945,565	
1869-70	...	23½	8,980,122		1878-80	...	20	15,261,810	
1870-71	...	22½	8,443,509		1880-81	...	20	15,239,677	

He would only repeat that, as he knew from actual experience, the ablest men differ strongly upon the subject of a remedy for the loss by exchange, and as they avowed reluctance to grasp the question, it was no shame to say that this question was well worthy of further discussion. Mr. Wood's allusion to the diminution of the quantity of silver coin in circulation, reminded him (Sir George Balfour) that the circumstance admitted of explanation. Only a few years ago the value of silver coins in circulation or stored in treasuries in India was estimated to be equal to £180,000,000. But in 1878, on the occasion of Lord George Hamilton making his last Indian Budget Speech in the House of Commons, he stated the silver coins to have fallen to the value of £100,000,000. He (Sir George Balfour) had tried but failed to obtain the data on which this new calculation was based. But Mr. Wood would probably remember that in the years up to 1870, the quantities of silver imported into India far exceeded the quantities imported since that year, and that as the immense demand for silver to meet the wants of the population for ornaments cannot have been met by the imports, the people have necessarily used up the silver coins, and thus reduced the quantity in circulation. It is also quite evident from the restriction since 1870 on the Mint Coinage, imposed

by Government, that the necessity for maintaining the former stock of coins did not appear to exist, and the former large demand for the use of silver coins has no doubt been lessened by the more general use of paper notes. During the last 20 years, the value of the notes in actual circulation has year by year increased. The Government have also facilitated the payment of notes outside the circles in which the liability to cash the notes at the Government treasuries exist. There has also been great assistance given for the transmission of notes to various parts of India, and for their being cashed at the treasuries. The remarkable change within 30 years of the mode of moving treasure from one part of India, protected by military escorts, is to be borne in mind. Formerly a large portion of the Indian Army was employed on treasure escorts; this necessity arose from the well-known tendency of coins to get into out-of-the-way corners, from which they could only be drawn by the aid of military escorts; these escorts have now ceased, and the coins required to meet those so long locked up are now no longer needed. As an old commissioner on the inquiry into the Madras Irrigation, and other Public Works, he might be excused for stating his full agreement with Mr. Wood as to these profits. There can be no doubt as to the irrigation works of the Madras Presidency having been largely remunerated, especially those carried out by that Indian benefactor, Sir Arthur Cotton. The Godavery Works have yielded from 60 to 70 per cent. on the outlay, even on the imperfect data yet furnished by the Government. The Kistnah Works adjoining those on the Godavery, though not carried out by Sir Arthur Cotton, have yielded 15 per cent. on the outlay, after allowing for all charges, including interest. All these works are still capable of development, and are fit to use some of the large profits at present earned. With regard to the Irrigation Works of other parts of India, he (Sir George Balfour) was not at present prepared to admit that they yielded profits in anything like those gained at Madras. The great want, is a reliable statement of the original cost of these works, and their current expenses, with a detailed explanation of the income. He had often and long tried to induce the India Office to procure such an account, and he could only express a wish that this Association would consider it a duty to press for its production. Since 1867-68, the Government of India have yearly assigned special funds for the construction of "Extraordinary" or "Productive" Public Works, on the assumption that the money so employed would prove remunerative. Up to year ending 31st March, 1880, this expenditure on all "Irrigation" Works amounted to £11,851,193, and at the end of 31st March, 1881, this sum is entered in the account at £17,257,660, being an "increase

"of £5,406,467 in one year." This enormous addition to the expenditure on "Productive" Irrigation Works, so made to appear in the accounts, is simply brought about by transferring the expenditure on "Irrigation" Works, which had been incurred prior to 1867-68, from the head of "Ordinary" to "Productive," and apparently the expenditure on some works previously classed under the head of "Productive," being now classed as "Ordinary." These transfers appear to be intended to make a more favourable money result from the invested funds, because the works transferred from "Ordinary" to "Productive" are more remunerative, whilst those transferred to "Ordinary" are non-paying works. The accounts of 1879-80 show a total of income derived from that portion of Land Revenue due to "Irrigation" at £662,398 and in the accounts of 1880-81 this receipt is shown to be £797,319 levied from the several divisions of India as follows:—the capital presented being also shown—

				1870-80		1880-81	
				Capital Invested.	Revenue.	Capital Invested.	Revenue.
<i>Productive.</i>				£	£	£	£
North-West Provinces and Oude	...	...	...	3,017,511	66,893	5,542,264	65,084
Punjab	...	...	...	2,192,324	27,538	3,692,312	161,161
Madras	...	...	...	774,027	493,859	1,772,744	552,160
Bombay	...	...	...	945,927	21,063	1,119,607	18,914
Total	...	...	...	6,929,789	602,398	12,127,427	797,319
<i>Unproductive.</i>							
Rajputana	...	...	...	18,698	...	...	...
Bengal	...	...	...	4,902,617	...	5,130,144	...
England	...	...	...	89	...	89	...
Total unproductive invested	...	...	...	4,921,404	...	5,130,233	...
GRAND TOTAL	...	...	...	11,851,193	602,398	17,257,660	797,319

The above figures show that in 1879-80 the Madras Works yielded nearly 70 per cent. profit on the capital invested, but by changes in the accounts, these profits were reduced to 33 per cent.: an amount very fair; but with the facility which exists for making changes, it is possible to show the Madras Irrigation Works as causing a loss instead of a gain. But including Madras profits, and looking as a whole to the investment in all India, the accounts of 1879-80 showed a profit of upwards of 5 per cent. on the then capital, and in 1880-81 a profit of 4 per cent.—all charges of every kind except interest being debited against all the works. As regards Mr. Wood's idea of getting

England to take over the *Homo Deht* incurred by India, and to guarantee the interest of the Indian Deht, so as to allow of a diminution in the rate of interest, he felt bound to agree with his honorable friend, Mr. Edward Jenkins—one of the former heat supporters of Indian questions in the House of Commons, and whose absence was much regretted—that it is entirely out of the question to expect any Parliament ever to agree to accept such responsibilities. And as to the proposal to relieve India from a third of the cost of the European forces in India, that also was wholly impossible. Indeed the many attempts made to relieve India from military expenditure of a far less important character had failed. Even in respect to the costly depôts at home, kept up at an unnecessary strength, and at a lavish outlay, only a slight relief has been effected after much contention. The strong determination exists to saddle on India, not only with every direct and specific charge, but even those charges of a general character. It has even been mooted that a portion of the outlay for the War Office Staff and other general purposes should be put on India, and it will need the efforts of all friends of India to resist such like attempts. As regards the cost of the India Office being borne by England, that also as well as the other military charges mentioned, will not be accepted. No doubt, the claim may justly be made that as the Colonies do not contribute funds for the Colonial Office, so India should be freed. But the policy is very different, for not only is India differently treated in this respect but also as respects the Naval Forces, a portion of the cost thereof serving in India being paid by India, whilst the Colonies are left untaxed. So also in respect to the political charges in Persia and China; India is obliged to contribute, without having the slightest control over the officers employed, or over their duties. He repeated that India has been repeatedly unfairly treated not only of late years, but in long former periods. We fought in China mainly with troops drawn from India, and though a virtual profit was made out of the contributions which China was forced to yield, yet England made India bear the cost of the pay of the troops so employed, and similar acts of wrong have since been perpetrated in other military operations. As regards the new Railway policy of the Indian Government, he (Sir George Balfour) said nothing could be more unjust or impolitic than the extreme restrictions placed on the employment of private capital in extending railway communication in India. The cases cited by Mr. Kimber and Mr. Edward Jenkins, were well worthy the attention of the East India Association; and he in conclusion observed, that the great object should be to extend the railways and canal communications of India, and

to lessen by every measure the cost of transport, it was therefore a right policy of this Association to strive to bring about a reform in the railway conditions, so as to secure the application of private enterprise in carrying out public works in India.

Rajah RAMPAL SINGH, who was present during the reading of the paper, but had to leave early, left with Mr. Wood some expressions of opinion on the subject of debate, which were read to the meeting :—“As an Indian, and as far as Indian interests were concerned, he (the Rajah) entirely agreed with the paper. The English Army kept in India for the purpose of balancing the power of native Indian independent rulers, should undoubtedly be maintained from the English Exchequer. The pay of English Government agents sent to Persia and China for English interests in a far higher degree than for Indian interests, should certainly be derived in a greater proportion from England than from India. The civil offices in India, with the exception of a few of the highest, should be filled by native officials, who, after they have qualified themselves to fulfil the technical duties of the office, are certainly more efficient than strangers who know little of the language and still less of the customs of the country. Again, whatever salary an Indian receives, he expends in his native country, which thus reaps the fruit of the labours of her children, while the European, on the other hand, during his term of office, remits the greater part of his income home, where he afterwards retires to spend his pension. Why, too, should India be obliged to make up the difference between the pensions received in England and in India? Surely if it is to be made up England should bear the expense. If the pensioner does not choose to remain in India, he ought to abide by the loss accruing to him from difference of exchange, unless indeed, the English Government recompense him. In any case the burden should not be thrown on India. The cost of establishments for the purpose of Government in India should be charged to the Indian Exchequer in the same proportion as the Colonial Governments have to bear their expenses, that is to say, that the Indian taxation should be in the same ratio to Indian revenue as the taxation of other portions of Her Majesty's dominions is to their revenue. Then there would be some hope for the overburdened country. As England has preserved a silver standard for India, all payments made on account of Indian affairs should be paid in Indian coin. With regard to standard in India, I need hardly point out (continued Rajah Rampal Singh), that formerly in the dominions of all the Native Princes, Hindu and

"Mussnlman, there was both a gold and silver standard. If it should be thought that a change in the present arrangement would make too great a monetary disturbance, let it be gradual and tentative, so that the Indian Mint should issue annually a certain number of gold coins, which would be eagerly taken up, and then by degrees a gold standard should be wholly adopted. He also suggested that it would be better for the Indian Government to seek out some mode of discharging its liabilities as far as practicable, in kind. There is always a demand for Indian products raw and manufactured, and agents numerous enough, or if not at present so, they would soon spring up and these agents paying for the goods in English coin, the loss at present incurred by the rate of exchange would be obviated. It might be objected that this would turn the Government into merchants. Well be it so. Into that it was not his business to enter; his object was to suggest a remedy for the existing grievance. This suggestion then he offered to the Government as a solution, not necessarily to be adopted on compulsion."

Surgeon-General HUNTER desired to refer to an observation that fell from Mr. Connell. He had asserted that the irrigation schemes had caused injury to the wells and tanks. Whether it was to be inferred from this statement that the level of the canals was below that of the wells, and that they consequently served as drains, he did not know, though it seemed hardly probable, but this he wished to say in connection with the subject: that if irrigation had led in any way to the disuse of the water from the tanks and wells of India for potable purposes, it had served a highly important purpose. He had no hesitation in saying that the contents of the majority of wells, and the tanks more especially, were unfit for drinking purposes, many being worse even than the sewage of London. If irrigation had caused the disuse of these supplies alone, it had done much towards removing a fruitful source of danger to the health of the people of India. (Hear, hear.)

Mr. WILLIAM BOWDEN pointed out that the canal districts and the tank districts were quite distinct. There was no tank irrigation in the deltas of the Godavery and the Kistnah. Tank irrigation and canal irrigation were quite distinct from each other as far as those districts were concerned. Another point raised in the course of the discussion was whether public works, such as irrigation and navigation, had or had not been remunerative. He feared that the accounts had never been separately kept; they had been mixed up so that the



relative value of irrigation and navigation works could not be ascertainable. There was no doubt that many of the public works had paid, but it was unfortunate that distinct accounts were not obtainable to show which paid and which involved loss. As matters stood, there was really no reliable data to go on.

The CHAIRMAN, at this point said, it had been suggested to him that, as the hour was late, there should be an adjournment of the discussion. The paper had been a very wide one, and raised a great many questions which could not be adequately dealt with in one comparatively brief sitting. He presumed it was for this meeting to say whether the discussion should be closed or adjourned.

Mr. DADYSETT said, that as a member of the Council of the Association, he might be permitted to explain that the Council reserved to themselves the power of summoning meetings of the Association. It might happen that the majority of gentlemen present at a meeting would be non-members, and it would be inconvenient to yield to them the power of adjourning a meeting to another date. (Hear, hear.)

Mr. W. MARTIN WOOD said, that Mr. Dadysett was doubtless perfectly right in his representation of the privileges of the Council of the Association. But if there was any general feeling on the part of the meeting that an adjournment of the discussion would be useful and proper, there was no doubt the Council would give the representation friendly consideration.

Mr. KIMBER said, the Council, while perhaps not accepting the expediency of a formal adjournment—which would prevent those who had already spoken from speaking again—would perceive the importance of a further ventilation of some of the main points raised that day, for instance, the question of Public Works, and provide accordingly. (Hear, hear.)

Rev. J. LONG agreed that the subject was of such interest and importance that it might well be brought on again in another paper; but there was inconvenience in adjournments.

The CHAIRMAN said, that in making the suggestion he was unaware of the dictum of the Council, although he readily perceived the expediency of the rule. He would now call upon Mr. W. Martin Wood to make any remarks he desired in reply to the criticisms on his paper.

Mr. WOOD, in reply, said, he feared he could not at that time do justice to what had been said by several speakers. He had to acknowledge the kindness with which the views set forth had been received, and was glad to find that the paper had elicited some important comments; but he scarcely knew where to begin with the numerous notes he had taken, and time would not permit of any extended remarks from him. Various circumstances suggested that there might be an advantage in having the subject renewed. There was, for instance, the letter from Sir Arthur Cotton, which would be included in the proceedings of that meeting; but there were many parts of his paper which had hardly been touched upon, especially that more important political aspect of it raising the question whether England should not bear some of the expenses now borne by India alone. Sir George Balfour had said that even such a small concession as the guarantee of the Indian debt by Parliament could not be carried. He (Mr. Wood) begged leave to differ on this point, and would remind those present that in 1859 Lord Stanley, now Lord Derby, pointed out that England was responsible for the Indian debt, and that it was a mere form that Parliament did not guarantee it. Lord Beaconsfield had said substantially the same thing. With regard to the impolicy of constructing public works out of revenue, he might mention that in a note just received from Mr. W. Fowler, M.P. for Cambridge—who regretted his inability to attend—that gentleman said:—"I have long held the opinion that the Indian Government have pressed payment for public works out of revenue too far. I think it can be shown that many works have been paid for out of revenue which at home would have been paid for from borrowed money as a capital expenditure. In other words, you compel the poor Indian to pay out of income what the rich Englishman would refuse to pay except out of capital." (Hear, hear.) After remarking that he had scarcely expected discussion on the more technical part of the paper, Mr. Wood referred to the common assumption about the burden of India being increased by further borrowing in England, and reminded those who had repeated this view that this was shown not to be the case by the tables on which he (Mr. Wood) relied. These were either correct or not. If correct, they proved what he contended, namely, that if India must borrow, she could do so more cheaply in England. But those present could scarcely be aware how determinedly set the India Office is against placing loans in England. This view had, no doubt, been taken with the best intentions on public grounds, but he was convinced that the policy is a mistaken one; and his chief

object was to challenge attention to, and stimulate discussion on, this point. Again, recurring to the political question, should England sustain part of the cost of maintaining her connection with India, he pointed to the enormous advantages England had reaped from her control over India, and contended that England could afford to give India some compensation; and, if the public and Parliament of England could not do so to the extent of a few millions a year, England was not what he took her to be. (Hear.) Mr. Wood then alluding to the speeches of Mr. Edward Jenkins and Mr. Kimber, said he should like if an opportunity were afforded, to refer to them at some length, but could not do so then. Sir George Balfour had referred to the statement often made that the low exchange value of the rupee stimulated exports from India, being by so much an advantage to the country. This was a difficult question to trace out. The advantage spoken of was on the surface. It was obvious you get more rupees in India when Council Bills are in excess and the price low; but whence comes the silver drawn from the Treasuries in India? It is simply the silver that is in the country already. Then, consider; as these rupees are provided from the revenue, and in large proportions from the land assessment, the cultivators were forced to sell their crops at whatever price they can get; hence they have to submit to unremunerative prices. Here, he believed, we come upon the direct explanation of the impoverishment of the masses in India. But this and several other weighty topics, not touched upon by the speakers, must be taken up at some future time. (Hear, hear.)

Rev. J. LONG then moved, and Surgeon-General HUNTER seconded, a cordial vote of thanks to the gallant Chairman, and this having been unanimously adopted,

The CHAIRMAN, in responding, expressed the pleasure he felt in presiding on the occasion. They had heard a very interesting paper from Mr. Martin Wood, and it had been followed by an equally interesting discussion upon some of the points he had raised. At so late an hour he would not enter at any length into the subject; but would reserve himself for that occasion which would probably be afforded. Differences of opinion had been manifested in the course of the discussion, but this was to be expected in dealing with a topic of this nature, and debating them operated correctively upon all

concerned. The remarks of Mr. Kimber and Mr. Edward Jenkins, on the management of the financial arrangements for the encouragement of railway enterprise in India were valuable, and would, it was to be hoped, reach the proper quarters. Mr. Connell, who followed, stated from what he had seen and learnt in India, that the railways and public works do not pay. This seemed a remarkable assertion when it was recollected that only recently when speaking at Cooper's Hill, Lord Hartington—then Secretary of State for India—stated that it could be satisfactorily established that the public expenditure under this head is now yielding a good return. Mr. Connell also said that the interest paid by the Government though not earned by the railways for a great number of years previous to their present condition, has not been taken into account. Well, if that be so, it is fair also to remember that there has not been taken into account the enormous indirect gain to India from the use of the railways. (Hear, hear.) The cost of carriage is only one fourth of what it was, and in this respect alone the benefit has been vast; and a careful and unexaggerated calculation has been made that the saving thus effected is equivalent to not less than £27,000,000 a year. (Hear, hear.) Mr. Connell had also made some observations to the effect that the construction of canal works had caused tanks to be allowed to fall out of repair. He might suggest that there would be a reason for that. Tanks usually will only hold water for one season; and when a famine comes small tanks are commonly found to be useless. Large reservoirs are required which will tide over two seasons at least. He spoke as having had full experience during the whole of the famine of 1876-77, when the Deccan was as bare as a table, without a drop of water or a blade of grass to be seen. And, therefore, the attention of the Government has been naturally directed to the larger irrigation projects, and they desire that the villagers themselves should look after their tanks which are equal to the calls of ordinary times. (Hear, hear.)

Mr. ROGERS said, the Chairman could perhaps say whether it was the case or not that the construction of canals destroyed the wells or caused them to dry up.

The CHAIRMAN said, he could not follow the reasoning of the speaker, who alleged that wells were drained by the construction of canals. It would require an unusually deep canal and extraordinarily

shallow wells to make it possible; and he confessed he had never heard the objection before.

Mr. CONNELL said, the wells which he referred to were commonly only six or eight feet in depth. (Hear.)

The CHAIRMAN quite admitted that Mr. Connell must have been speaking only of what he himself had witnessed. Upon another point raised by Mr. Wood and spoken of by Mr. Jenkins, they had the testimony of Sir George Balfour, who says that from his knowledge and experience of the House of Commons, there is not the slightest possibility of the Indian Debt being taken over or guaranteed by the British Government; but he permits better hope in relation to some of the charges which Mr. Wood mentioned. Most of those who are deeply interested in the welfare of India, and who are acquainted with the subject, agree that some of these charges should certainly be removed from the Indian Revenue; and that, for instance, such items as the expenditure on the Persian and Chinese Embassies should figure only in the Imperial accounts at home. India, too, is made to pay not only for the passage of the troops to the East, but for the cost of taking them back; and the *depôt* charges—already mentioned by Mr. Wood and Sir George Balfour—were a real grievance. The expenses of the India Office should also be borne by the Home Government, just as in the case of the Colonial Office. On the subject of encouraging private enterprise in India, it would no doubt have been noticed by some present, that Major Baring has been addressing the Madras merchants, and trying to persuade them to raise money for feeder railways. But they did not receive his proposals with anything like hope that they would succeed. Major Baring said the Government would give the land, and that was all. What the Government aimed at was to evoke the unaided enterprise of the capitalists. The evidence given by Mr. Kimber and Mr. Jenkins as to the results of recent experiments of the Indian Government in relation to new railway enterprises was certainly not encouraging; for the shares are at a discount. The fact is, that at the present moment everything is at a standstill: there is no money in India for carrying on public works, and stagnation prevails all over the country. How is the money to be raised for those necessary public works which, if designed with ordinary care, would give a good return to investors of capital? How are the ample resources in England to be tapped?

Mr. Wood proposed that for the purpose of public works loans should be raised in England, and—probably because the subject was too abstruse and technical to be treated offhand—subsequent speakers had had little to say upon it. Yet this was an important point; for the present policy of the Indian Government is *not* to raise money in England. In conclusion, the Chairman said that, however much speakers might differ on the various points, on one thing they would be all agreed, and that was in thanking Mr. Wood for bringing the subject so ably before the meeting. (Hear, hear.)

The sitting then terminated.

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# SOCIAL INTERCOURSE BETWEEN EUROPEANS AND NATIVES IN INDIA.

PAPER READ BY M. D. DADYSETT, ESQ.,

BARRISTER-AT-LAW

*(Late Magistrate and Sub-Judge at Baroda),*

AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON WEDNESDAY, FEBRUARY 7, 1883,

THE RIGHT HONOURABLE LORD STANLEY OF ALDERLEY

IN THE CHAIR.

A MEETING of the members and friends of the East India Association was held at the Pall Mall Restaurant, Regent Street, Waterloo Place, on Wednesday afternoon, February 7, 1883, the subject for consideration being "Social Intercourse between Europeans and Natives in India," introduced in a paper read by M. D. Dadysett, Esq., Barrister-at-Law, late Magistrate and Sub-Judge at Baroda.

The Right Honourable LORD STANLEY OF ALDERLEY occupied the chair, and amongst those present were the following:—Sir George Birdwood, Kt., C.S.I., M.D.; Sir Louis Jackson, Kt., C.I.B.; Sir George Kellner, K.C.M.G., C.S.I.; Sir Lewis Pelly, K.C.S.I., and Lady Polly; Sir William Rose Robinson, K.C.S.I.; Lady Bittleston; Lady Couch; Lady Hobhouse; Lient.-General Lowry, C.B.; Major-General G. Burn; Major-General H. F. Waddington; Colonel A. J. Bruce; Colonel R. M. Macdonald; Lient.-Colonel M. McP. Battye; Lient.-Colonel P. T. French; Major Crombie; Major F. W. Baller; Captain W. W. Ross; Professor Gustav Oppert; Rev. and Miss T. O. Beeman; Rev. James Johnston; Rev. Alfred Jones, B.D.; Rev. James Long; Raja Rampal Singh; Surgeon-General and Mrs. Balfour; Surgeon-General Hunter, F.R.C.P.; Dr. Vincent Ambler; Dr. Haward; Dr. and Mrs. Rae, F.R.S., M.D.; Mr. M. A. Abraham; Mr. C. W. Arathoon; Mr. M. Baker (of Persia); Mr. G. H. M. Balten; Mr. U. D. Banerjo; Mr. W. H. Beeman; Mr. Mancherjee M. Bhownaggreo; Mrs. Karl Blind; Mr. William Bowden; Mr. E. Brooks; Mr. J. Brooks; Mirza Peer Bukhsh; Mr. Shakh Abdul Busole; Mr. and Mrs. Burt; Mr.

Dadabhoy Byramjee; Mr. Pestonjee Byramjee; Mrs. D. P. Cama; Mr. W. Chambers; Mr. A. Challopaddy, M.R.C.S.; Mr. C. S. Colvin; Mr. Hormasji Dorabji Darnwala; Mr. J. Dinn; Mrs. J. Edmonds and Miss Edmonds; Mr. Faile; Mr. William H. Field; Mrs. Fiseber; Mr. Samuel Fisher; Mr. Charles Fitzgerald; Mr. G. Seymour Fitzgerald; Miss Seymour Fitzgerald; Mr. A. Govindan; Mr. Gunnsi; Mr. and Mrs. Charles Hancock; Mrs. Haward; Mrs. and Miss Hopkins; Mr. A. R. Hutebins; Mr. and Mrs. H. M. Hyndman; Miss Johnson; Mr. S. A. Kapardin; Mr. J. B. Knight, C.I.E.; Mr. S. N. Knox; Mr. Q. G. Kotbare; Mr. M. Kumruddin; Mr. J. S. Law; Mr. Hugh S. Leonard; Miss A. Lillie; Mr. Macdonald; Mr. M. Abdool Majid; Miss A. V. Mallet; Miss E. A. Manning; Mr. W. McGuffin; Mr. J. E. Modi; Miss A. L. Moore; Mr. David Nasmith; Mr. E. L. Oxenham; Mr. E. Peacock; Mrs. Pepler; Mr. J. Upton Poole; Mr. H. W. Hayes Redwar; Miss Richardson; Mr. Alexander Rogers; Mr. S. K. Sanjana; Mr. A. K. Sethna; Mr. R. D. Sethna, B.A., LL.B.; Mr. John Shaw (Madras); Mr. William Smith; Mr. Charles J. Stono; Mrs. Arthur Symmonds; Miss Symond; Miss Teschemacher; Miss Taylor; Mrs. Thomas; Mrs. Jane Van Gelder; Mr. M. E. Walhouse; Miss M. Walker; Mrs. E. Winchley; Mr. W. Carlton Wood; Mr. W. Martin Wood; Mr. Wooddard; Mr. W. Hamilton Burn (Secretary), &c.

The CHAIRMAN having called upon Mr. Dadysett to read the paper, Mr. M. D. DADYSETT spoke as follows:—

My Lord, Ladies and Gentlemen,—In addressing you this day, and in undertaking to read the paper, which to a certain extent expresses the sentiments of Mr. N. S. Ginwala, a Parsee Merchant of Bombay, with whose name my native friends are well acquainted as a regular contributor on several social topics in *The Journal of the National Indian Association*, it is my sincere hope that it will be the means of producing a feeling of cordiality between Englishmen residing in India on the one hand, and the Natives on the other. I have carefully restrained myself from putting forth such arguments and such instances as might, instead of improving their position socially or otherwise, tend to widen the breach between the two classes of Her Majesty's subjects. With these introductory remarks, ladies and gentlemen, I proceed to discuss the subject in hand for the evening, viz.—The social intercourse between Europeans and the Natives in India.

If there ever was a time, when there really is needed the display of genuine feelings of cordiality and friendliness between the English



rulers and the Natives of India, it is this. Certainly no topic can more fitly engage the attention of the British public than this. It is now high time that the English nation should understand the real nature of the difficulties that stand in the way of their rule, which would otherwise always run smoothly. The blessed delusion that the Natives of India are all contented with the English rule, should be dispelled. The truth is, that from a population six times as large as that of England, it is not possible to meet with universal approval of the conduct of their rulers, or rather more directly, of all such persons through whose instrumentality a vast country like India is ruled. Arguments of the kind, which were ridiculed as futile and groundless a few years ago, are more or less cogent now. If there is one thing which more than another deeply concerns the safety of the British Government, it is the creating of love and inspiring of confidence in the various races that inhabit the vast country.

If the English nation want to know the real character of the Hindns and the Mahomedans, they must look to the Parsees. The Parsees, a small community, descendants of the renowned Persians of old, while living in India, have always inspired the hearts of their rulers with sentiments not only of loyalty but of personal attachment. A popular English writer, writing a quarter of a century ago, thus speaks about the Parsees:—"The Parsees have been, during the last three centuries, especially at home in the city of Bombay. They understand the English, have something of English energy, with an understanding, rare in Asia, of the commercial as well as the moral value of integrity. They are active, shrewd, liberal and generally rich. Some people now describe them as the Anglo-Saxons of the East."

The Parsees are, moreover, Anglicized in their manners, they are refined in their views and modes of thought, and to them alone the English can very safely apply for any friendly advice in solving any knotty questions of misunderstanding or ill-feeling between Europeans and Natives. The same English writer on this point says:—"The Parsees are rapidly becoming Europeans in their habits. They do not, like the Hindus, sit on the floor, and dine out of one large dish, in which is a confused mixture of food; but sit on English chairs at English tables before English dishes. They are beginning also to sit down together—man and woman—not man here and woman there. Between the Parsee men and women there is indeed a freedom of equality rare among Asiatics." Finally, the same writer says, "these worthy Fire-worshippers are trusty friends of England. They have from the beginning valued and understood us. Our countrymen in

"India know and value them." I need hardly add, that since 1859, when the above comments were made, the Parsees have made a very rapid progress in civilization in common with the English or any other civilized nations in the world, and that up to the present day the Parsees have retained the good opinion of their English rulers cannot be better shown than by quoting the remarks of the latest and most distinguished financier, orator, and administrator who at the present moment fills, in connection with this Association, the office of the President. I refer to our late Governor, Sir Richard Temple, Bart., who in one of his speeches before the Indian public, thus speaks about the Parsees:—"Now, gentlemen Parsees, in conclusion, it is not for me as a British officer and as a member of the ruling race, to say that we like any one class of our subjects better than any other. It is our duty and our pleasure to like all classes of the people alike. But this I may say, there is no class we like better than the Parsees. Also, as your Governor, it is not for me to say that we think any one class more loyal than any other, or all the others. We believe that loyalty and fidelity are to be found in all classes of British subjects in this Presidency; but this I will say, there is no class in whose loyalty we have greater confidence than that of the Parsees; and my pleasure in attending this meeting and delivering this speech is enhanced by this consideration; that the Parsees have contributed greatly to make Bombay the fine, great, and splendid city which it is."

Having amply supported my remarks, let me resume the subject for the evening. It is true that in business-relations the Europeans come close to the Natives, but in social intercourse they are as wide apart as ever. If at all they join in friendly gatherings with the Natives, they do it as a matter of sheer necessity, though there are some noble exceptions. As a rule, an Englishman does not like the Natives; they are hateful to him, and he would be glad to avoid coming in contact with them. This sort of dislike arises from the painful idea of his being their superior socially, politically and morally. Unfortunately, dislike on one side is enough to breed dislike on the other. If we were to sift this matter more carefully, we should find that sometimes strong dislike and antipathy arise from the most trivial causes. Caste feelings and caste prejudices will always be a stumbling-block in the way of the Hindus of India. Tradition teaches a Hindu to look upon a foreigner as an interloper, and something of the old tradition remains to entitle a white-skinned Englishman to delight in calling a Hindu a "nigger."

Very truly an Englishman often charges the Hindus with the art

and duplicity of keeping their wives, daughters, and sisters studiously away from the company of Englishmen and women. But he ought, at the same time, to take into his favourable consideration the many obstacles, religious as well as social, which stand in the way of the poor caste-bound Hindus. It is for the present asking too much from a few educated and refined Hindus to use their meagre influence in eradicating the time-honoured customs and institutions of their forefathers. Under the circumstances, what Englishmen can very desirably do, is to display kindly feelings and extend their friendly hand to such of the Natives as are eager to associate themselves with their English rulers.

Again, it is a fallacy to imagine that Hindu ladies are generally sufficiently advanced in education and refined in manners to keep their intercourse with English ladies. Looking at the slow strides the Hindu ladies make in the advancement of knowledge and education, it is fairly a work of half a century to bring them to an equality with English ladies. It is indispensably necessary that the Hindus should have a thorough insight in an English family. It is to his incalculable benefit to learn the eminent virtues of an English home. Englishmen in India ought to give them such an opportunity. By availing themselves of the opportunity they will gradually begin to understand that the bonds of matrimony are far more sacred and solemn than are deemed by the Natives of India, and that a wife is no more a plaything or a creature of convenience, but a man's equal, and in some respects his superior. It is a matter of regret that, notwithstanding a long stay of Englishmen and Englishwomen in India, very little use has been, up to this time, made of the benign influence of Englishwomen to improve and alter some of the habits and customs of their Hindu brethren.

Let it be the duty of every English man and woman to teach a Hindu, by precept and example, that there is a higher and nobler mode of enjoying and fulfilling the condition of matrimony than that of the secluded Zenana, that the dictates of the heart should rise superior to all mercenary motives, and for no consideration be made subservient to any other purpose, religious or worldly. To exclude the Hindus from the society of English ladies is actually to shut the door against them of the best school of learning, domestic virtues and several other eminent qualities, which grace women, and adorn a home with domestic felicity.

Englishmen in India are considered leaders of society, and as such they ought to be equal to the task that devolves upon them. By coming in close contact with Europeans the natives will, directly or

indirectly, learn good manners, and will get rid of impediments and deep-rooted prejudices. The slovenly habit of the natives is an imaginary grievance of Englishmen in India. They consider a Hindu wanting in personal cleanliness. It may be so with the lower classes, and it is a mistake to identify these classes with the high-caste Hindu. We have no better right to take the vulgar mass as the cream of high Hindu society and Hindu life than the fishmongers of Billingsgate, or the street hawkers, as specimens of the high-born English race. To confound and mix up all the numerous races in India is one of the greatest mistakes that an Englishman often commits in India. To a greater or less extent the Hindu dress, the "dhotee" and the "angarkha" (coat), is at the bottom of this mischief. It greatly helps to assimilate a high caste Hindu with a "pariah" (the lowest of the low) of his community in the eyes of an English official. To wipe off the stain of uncleanness we must have recourse to Hindu religion. Hindu religion, from time immemorial, and even in its very primitive form, enjoins purity in body; consequently, in the course of twenty-four hours of the day a number of "dhotees" are being changed and washed, and the body also is constantly washed and cleaned. Unfortunately, the "dhotee," which leaves the calves almost bare, and half covers the legs and feet, does an amount of injustice to a Hindu, however refined and intelligent he may be. It is no wonder that a dress almost indecent must contribute a great deal to keep the Hindu aloof from an English social circle and society. Certainly, without making the hot climate of India a peg by the Hindus to fasten their arguments upon, in favour of the unsightly "dhotee," some improvement ought to be made in the form of a Hindu's dress.

There is another argument apparently cogent which an Englishman urges in favour of his not associating freely in social and friendly intercourse with the natives, and especially the Hindus. As a rule the Hindu has a smooth tongue and a propensity to flatter. If he is asked to give his opinion on a given subject, he generally re-echoes your own sentiments and acts in such a manner that you can very soon come to the conclusion that he is, more or less, wanting in truthfulness and fair play. On the other hand, if he were to show himself less complaisant and speak out his own mind unreservedly, he would unfortunately be put down by our English friend as disloyal, insolent, cheeky, and as one who is making a very bad use of his University education. For the use of his brain freely and independently the poor Hindu is termed a dangerous man, and a clamour is raised by Englishmen to abolish colleges and reduce the standard of University education, which, in their opinion, tends to breed and nourish a set of

discontented, half-educated, vain-glorious, and conceited babblers. To avoid this charge of disloyalty, conceit, and impertinence, the deplorable Hindn, like every other conquered race, is quick at reading John Bull's character, and knows that his interest lies in pleasing his English master. As a native of India is proverbial from the cradle for shrewdness in reading the human heart, he at once finds out the peculiar trait in an Englishman's character, and studies to agree, compliment, and flatter him in all his views; but honest and simple John Bull, being ignorant of all this, regards the poor Hindn as a versatile scoundrel devoid of all principles, and shuns him as a viper. With such a low opinion of a Hindu's morality and principles it is no wonder that an Englishman in India does not take to the Natives. But, ladies and gentlemen, allow me to inform you that it is altogether an erroneous and groundless opinion formed by Englishmen in India not only as regards the Hindns, but as regards the entire body of the Natives of India, and in support of my assertion I beg to quote the opinion of a well-known and disinterested advocate of India, Dr. George Birdwood, late of the Indian Medical Department, and now Sir George Birdwood, K.C.S.I. He says:—"I, for my part, believe that the people of India are easier to govern than any other people up and down the bright latitudes and longitudes of the terraqueous globe, if governed in mercy and truth, in righteousness and peace. They are long-suffering and patient, hardy and enduring, frugal and industrious, law-abiding and peace-seeking. They hate change indeed—especially in legislation and taxation. This is the Indian ryot (agricultural class) universally. The educated and higher mercantile classes are honest and truthful, and loyal and trustful, towards the British Government, in the most absolute sense that I can use, and you understand the words. Moral truthfulness is as marked a characteristic of the settia (upper) class of Bombay as of the Tentonic race itself. The people of India, in short, are in no intrinsic sense our inferiors, while in things—measured by some of the false standards, false to ourselves, we pretend to believe in—they are our superiors."

Native gentlemen who have been to England to study for the various liberal professions, to find out some new field of enterprise, and to increase the scope of their knowledge and experience, are often at a loss to understand why the same cordiality, hospitality and kindness enjoyed by them whilst in England from their English friends, acquaintances and professional brethren, should be refused to them by the scions of the same high-minded and chivalrous race in India. Various reasons have been from time to time assigned for the coldness between the rulers and the ruled, but the chief of them is not far to seek. In

England all Englishmen do not enjoy the same enviable income as they do in India. In England a Native of India sees two-thirds of the mighty Babylon trying very hard to make the two ends meet. Ex-governors, generals, councillors, commissioners, collectors and retired merchants from India, do not enjoy in England the same princely income which they generally do in India. In England, where Earls and Dukes roll in riches, these retired officials from India are almost a nonentity. Here they cannot afford to play the purse-proud and stately Governors and Commanders. Consequently, while they are in England, which is a land of equality and freedom, they treat the Natives of India as their equals, and very often introduce them into their families. Suppose the same Englishmen were to land on the Indian shore, as a rule they would be at once metamorphosed—assume an icy reserve and express a haughty disdain. They in India look upon themselves as one of a superior race, come over only to command and exact obedience from the conquered Natives. In support of my remarks I beg to quote a passage or two from an able minute recorded by the liberal-minded and enlightened Governor Sir C. E. Trevelyan, with whose name almost every Native of India is acquainted. He says:—"This high-handed insolence of a dominant race is the greatest danger to which a power like ours in India is liable. The founders of our Anglo-Indian Empire were sensible of this; and, while a forbearing and courteous demeanour towards the Natives was inculcated with the consistency of a constitutional law, every instance of misconduct towards them on the part of a servant of the Government was visited with immediate punishment." With a view of remedying the evils he suggests in the same minute as follows:—"It will be mitigated if great discrimination is exercised by the authorities in England, and a better class of Englishmen selected and sent out to this country. They should be cultivated, thoughtful and intelligent persons, able to converse with the Natives of this country in their own language, and to take an interest in them."

Had these minutes been noted upon a great deal of good would have accrued to the Natives of India, but I am sorry to say that due notice was not taken, and the result of it is that we see the civilians, or at least a majority of them, do not behave as well as they ought towards the Natives of India. In support of my remarks I beg to quote the remarks of Sir George Birdwood upon the point. He says:—"The British Government in India rests absolutely on the personal character of the men of the Indian Services, and, above all, of the civilians; and the contentment of India with our rule—as apart from, and secondary to the security of our rule—depends mainly on

“ the discipline, the sense of duty, obedience, order, responsibility—on  
“ the conscientiousness of members of the public Services.”

Before proceeding any further in this discussion, let it be distinctly understood that by quoting with approval the above-mentioned remarks, I do not for a moment argue that the sole contentment and happiness of the people in India, and the foundation and stability of the British empire, rest only on the courteous behaviour of the members of the public Services. The question, on what does the foundation and stability of the British empire rest? is one that affects not only the two hundred and fifty millions of people in India, but the British public as well. I may say boldly, one of the foundations, or rather the principal foundation, is the contentment and happiness of the people. Some may call it a sentimental idea, but on reflection it will not appear so. In fact, the days of ruling India by the sword are passing away slowly, and we may as well wish it may pass away rapidly to return no more. The time must come, if the British rule in India is to be put on a permanent basis, to reduce the vast military expenditure, which sneaks up as if it were the very life blood of the people, to reduce that expenditure which absorbs now almost sixty-five per cent. of the net revenue, taking all and indirect items, and to bring it down to forty, thirty, and twenty per cent., nay, even less, taking the net revenue of India as about thirty-two millions sterling pounds, and excluding the opium revenue. The time must come when on reproductive public works, such as irrigation and navigation canals, the amount to be invested will have to be increased ten times more than it is at present, in order that famine loans may be avoided and famines effectually prevented, and all the loss of life and the loss of agricultural produce of millions sterling prevented. The time must come also when the doors of the Civil Service will have to be thrown open to both Natives and Englishmen, and the examinations held in India and not in London, as done now to prevent Natives as far as practicable from entering that service in any numbers. The time must come, also, when, as remarked by our worthy President, the condition of the ryots, who are deeply in debt, and regarding whom the British rule is so defective as to keep them in a wretched state, will have to be improved. The educational grant will have to be vastly increased. Imagine the difficulties of governing an empire where among two hundred and fifty millions of people only one per cent. go to school, and where ninety-nine out of every hundred cannot read or write. These and other serious defects in the administration of India will have to be removed. The sooner the better—otherwise there is very little use of

talking so sweetly and painting in rosy colours pictures of the British administration in India. But I believe in discussing a subject of this nature I am diverging from the subject in hand, and will therefore resume the subject, having sufficiently shown on what do the future contentment and happiness of the people depend.

In continuation of my remarks on the subject of the evening, I beg to say that it is very much to be regretted that young Englishmen with very little experience of the world, and holding responsible posts in India, entertain a very low opinion of the Natives. Their arrogant demeanour, originating from the idea of their national superiority, is extremely offensive to all classes of the Natives, and is highly detrimental to the interest of the State they represent.

To all that I have said there are honourable exceptions among the civilians. The good sense, however, of a great many well-educated Englishmen who of late are imported to govern the Natives with wholesome advice from the highest men in power teaches the stern realities of an Indian life at a glance. They soon perceive that in several branches of the Service they are quite helpless without the assistance of intelligent and well-informed Natives. The past experience of many eminent Anglo-Indians points out that the sound advice of able and experienced Natives in matters of administration, have greatly contributed to the success and eminence of these distinguished Englishmen. Such names as Elphinstone, Malcolm Chaplin Trevelyan, Northbrook, and others have been pronounced by the Natives with esteem and affection for their urging upon their brother officials, both civil and military, to treat the Natives of India very kindly and gently.

Let this be freely acknowledged that a good many Englishmen in India are perfect gentlemen in the true sense of the term, and are true friends of the Native fellow-subjects. It ought to be the duty of the Home Government, before sending out young men to govern the Natives of India, to strongly advise them as to how to behave towards the subject races. It ought to be made compulsory for every new civilian to be acquainted with the habits, manners and wants of the Natives. They must be strictly enjoined not to molest and insult the Natives. They must be particularly directed to befriend the helpless and respect and encourage the deserving.

It is well contended by Englishmen that they cannot possibly ask the Natives to join their family circles, when the latter studiously shut up in seclusion their wives, daughters and sisters, and look upon some of the refined European customs and manners as offensive to the laws of modesty and decency. They farther contend that friendliness, sociability



and cordiality can never be one-sided; they must be spontaneous, mutual, and unrestrained, and this contention is perfectly right. But in the present state of Hindu society there is needed a great deal of forbearance and magnanimity on the part of our English rulers. It is not only that Hindu ladies and gentlemen have not by their education and refinement come to that pitch of civilization as to freely meet in social intercourse with any European nation, but unfortunately their very religion and tradition come in their way. No sooner a Hindu is seen by his caste fellows busy with knife and fork on a plate of chops or beefsteaks than he is put down as one out of caste and polluted. The same is the case more or less with almost all the races in India except the Parsees. This is the only class that is prepared and fitted by its wealth, opulence, education and polished manners, to dine on the same board with any continental nation with honour to itself and its hosts. The stern obstinacy of the Hindus in refusing to join the Europeans in social intercourse brings to our recollection the memorable words of Shylock, "I will buy with you, sell with you, walk with you, but I will not eat with you, drink with you, nor pray with you." Fortunately the people that are always anxious to meet with the English rulers in friendly intercourse are that of the Mahomedans. These people are slowly tasting the fruits of English civilization, and it will be for the well-being of the English Government to improve the *status* and ameliorate the condition of their Mahomedan subjects who inhabit a large part of the country. With the exception of the educated Mahomedans who look upon an Englishman as a friend and patron, the bigoted portion, comprising innumerable Mahomedans, look upon everybody out of the pale of their religion as an unmitigated Kaffir.

Notwithstanding the sweeping remarks made by English public writers and Englishmen in India, a large portion of the Natives is sufficiently educated, and have undergone such a test of refinement as to do credit to any English society, or any European social circle. Formerly there used to be frequent social and friendly gatherings between the rulers and the ruled. In those days our English rulers were more isolated from their mother-country than now, and consequently they were obliged to look upon the natives as their companions. But such is not the case now. The communication between England and India is rendered very easy by the overland route, and consequently Englishmen of the present day do not care to be friendly with the subject races. Moreover, English officials often draw their notion of Hindu character from low, mean and servile clerks and karkoos in their employ. The slovenly habits and mean de-  
sires

of these men create in their English superior a contempt for them, and he is inclined to judge of the whole race by these doleful specimens of humanity with whom he daily comes into contact. Thus arises the coldness and reserve on the part of the English rulers. This prejudicial impression in the minds of Englishmen does very often injustice to Native gentlemen of respectability, position and refinement. There are recorded instances of Native gentlemen of rank and position, waiting for hours among the servants of English gentlemen, when the former go on a visit to the latter at their villas or bungalows, without being taken any notice of. This sort of bitter experience is enough for Natives of refined feelings and possessing a sense of honour to keep themselves quite aloof from mixing with Englishmen, thus widening evermore the breach.

Of late a great interest is evinced in the discussion on the subject of social intercourse between Englishmen and the Natives of India, and impartial views on the question are given by some of the ablest English writers of the day in India. A distinguished writer says:—  
 "Perhaps the system is to blame for this. As long as the annual reports are sent in, and the civil and the criminal returns show that the officials have done their work fairly, nothing more is asked, and nothing more is required. But disposing of criminal and judicial cases, or looking after the revenue and the roads, are surely not the sole ends of government, in a country held as India is held; a race fond of external courtesies, setting an extraordinary value upon official rank and etiquette. The Governor of Bombay holds *levées* for native gentlemen, and invites them to a garden-party once in a way, and such courtesies are appreciated and spoken of; but what is wanted is, that such things should not be confined to Viceroys and Governors only. The collector in his district is a Governor, and is the representative of the British power himself; why, therefore, is it not possible to oblige him to maintain the dignity of his position by holding at least two or three *levées* a year in different parts of his district, with all the pomp that the local military or police can give to the scene? The collector gets pay enough, and the least he might do is to spend a portion of it in illuminating his house or garden, and providing a display of fireworks, or in some such general entertainment to which all classes may be invited. The Roman Governors ruined themselves by spectacles of public shows; we do not wish the English collectors to follow their example, but we do not see why they should not take some pride or some trouble in bringing the people together, and in winning local appreciation and popularity. At present the harsh,

"obtrusive side of their functions is thrust upon the public attention, while all the softer social influences, which are not without their power, are entirely neglected. It is not, we think, too much to expect that collectors and judges should be obliged to maintain their position and promote a social intercourse between Natives and Europeans by cheap and popular entertainments as we describe. By throwing open to them more freely durbars, such as are referred to above, and by affording facilities for studying the non-official side of the European character, we may hope that in time as a new generation grows up, who have mixed with Europeans from their earliest years, the social attributes of our Native fellow-subjects will more closely come up to our standard; and thus may we hope in time to bring about those kindlier feelings between the two races that are so desirable."

As a rule, Englishmen seldom take the trouble of seeing the virtuous side of Native character, unless they be particularly influenced by some personal interest or motive. Those who have opportunities of knowing the Natives longest, have always the best and the most unqualified opinion of them. There is no disguising the fact that the stability of the English power in India rests on the general opinion of the Natives as to the comparative superiority in good faith, wisdom and strength of the English, to their own former Hindoo and Mahomedan rulers. This is a consummation devoutly to be wished for by every honest English member of the governing fraternity, and this end can be materially enhanced and strengthened by the consideration Englishmen show to the Indian habits, institutions, prejudices and time-honoured customs, and by the moderation, good temper and kindness with which they behave towards them. In conclusion, ladies and gentlemen, I have to thank you for the patient hearing you have been pleased to give me this evening.

The noble CHAIRMAN said, he thought he might congratulate Mr. Dadysett upon the unusually large attendance of the Members of the Association, and upon the interest which the meeting had shown in the subject. The Chairman then invited the gentlemen present to make any remarks upon the paper which had been just read, and said that it might promote discussion if he now made some observations upon it. He entirely sympathized with the object Mr. Dadysett had in view, but he differed with him entirely as to the means which he had advocated. In the first place, he doubted the wisdom of the proposal in the paper to bring Parsi ladies into mixed company. *The Indian Spectator*, edited, he believed, by a Parsi gentleman, had quite

recently recommended the friends of a Hindn lady who had been lecturing not to bring her out again into mixed company. As to the wish of Mr. Dadysett that Hindus should be more received into the company of English ladies, he thought this the very reverse of the right course to pursue. Collectors and other high officials ought to be encouraged by Government to set aside one evening in the week during which they would, in the absence of the ladies of their family, but assisted by their official subordinates, receive all Indians who might choose to visit them. In this way they might become mutually better acquainted, and many natives of India would come to them who would not come if subject to the restraint of the presence of ladies. If there were no other objection to the presence of ladies, that of language would be sufficient, as their presence would have the effect of restricting the conversation to English. Moreover, in all countries, national and race prejudices were more accentuated, and more strongly felt and shown by the women than by the men. In the absence of the women, also, it is much more easy for men of different ranks and classes to mix freely together; and Lane, in his Notes to his "Arabian Nights," has pointed out that the separation of the sexes in public has acted beneficially in this respect, and in producing that generality of good manners which is to be found in Asia. Indeed it might be said that from the point of view of social intercourse between Europeans and the natives of India, it would be better if no civilian under the rank of a collector or a judicial officer were married. In India a great deal too much time was given to the amusement of the European ladies, and it would be better for the administration of India if more of them were *purdah nushin* instead of their attempting to bring the Hindn ladies out from behind the curtains. No doubt the greater number of Englishwomen in India, now, as compared with the period before the overland route, had caused the greater inaccessibility of English officials in India, their diminished familiarity with the Indian languages, and their diminished interest in Indian customs, literature, and antiquities. Mr. Dadysett also appeared to have underrated the merits of the Hindu ladies, and to have been unmindful of the names of Savitri, Sakuntala, Saguna, Tara, and Seeta, which he might have appealed to in order to induce some of the wives of the higher officials, who from a long residence in India might have acquired sufficient knowledge of the languages of India, to set apart some of their time for receiving their Indian sisters alone during the office hours of their own husbands, in conformity with the custom of Asia; and thereby creating an opportunity of breaking down that barrier of ignorance which now prevents those feelings of friendliness and mutual

esteem which might otherwise spring up between the Hindn and English ladies. Sir William Wedderburn has recently written to *The Bombay Gazette* urging the establishment of a journal to be called the "Voice of India," which should reproduce the most deserving of the articles in the Vernacular Press. Such a journal ought to find sufficient support amongst the higher officials, and it might forward the object aimed at by the paper which had been read that day.

The Rajah RAMPAL SINGH said, that as a Member of the Council of the Association, he had received an advance copy of the paper read by Mr. Dadysett, and he had given it an attentive perusal. He had therefore no hesitation in saying that it was an indictment for the most part unfairly drawn, for it fails to do justice to the English in India. (Hear, hear.) It praises the Parsees indeed, but its measure of judgment upon all the other races of India is by no means so liberal; and the lecturer certainly does not love the Mahomedans. (Hear, hear.) Of [some of the remarks made, it was not too much to say that they] were calculated to do much harm, and to injure that growth of good feeling which has been spreading since the visit of His Royal Highness the Prince of Wales to India. The peculiar method of the able lecturer was best shown by an example or two. Thus, he says: "The Parsees are Anglicized in their manners, they are refined in their views and modes of thought, and to them alone the English can safely apply for any friendly advice in solving any knotty questions of misunderstanding or ill-feeling between Europeans and Natives." Now, the Parsees are, after all, a mere handful of people living in one of the corners of India. They do not freely mix with the real natives of India; they meet in intercourse only occasionally. For English rulers to have recourse to Parsees for "friendly advice" is to ask them for what they have no true experience of; it is like one foreigner seeking the counsel of another. (Hear, hear.) In another place, the lecturer says:—"As a rule, an Englishman does not like the natives; they are hateful to him, and he would be glad to avoid coming in contact with them." Now he must deny that altogether—(hear, hear)—and also that other assertion that, "Tradition teaches a Hindu to look upon a foreigner as an interloper, and something of the old tradition remains to entitle a white-skinned Englishman to delight in calling a Hindn a 'nigger.'" That tradition, he must own, he had never heard of before; and as far as Englishmen are concerned, he did not believe that the term "nigger" was ever used except by low-class "roughs," and even then, as often as not, the Englishman was using a term that he applied to everybody who was

## ERRATUM.

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The following was inadvertently omitted from the Rajah Rampal Singh's speech at p. 69:—

In conclusion, he could not help owning his belief that Mr. Dadysett's paper, if generally read in India, would produce a most disastrous effect, and it was a pity it was ever written.



not of his own colour, and deriving a word from Latin to apply a contemptuous epithet. (Hear, hear.) Mr. Dadysett says that "the slovenly habit of the natives—which is not, if true, peculiarly applicable to Hindus, but to all natives of India—is an imaginary grievance of Englishmen in India. They consider a Hindn wanting in personal cleanliness." This assertion he must also deny; no intelligent Englishman could entertain the idea; the contrary is notorious; it is in direct opposition to the tenets of their religion. Mr. Dadysett attributes the supposed prejudice of Englishmen to the *dhotee* and the *angarkha* "which greatly help to assimilate a high-caste Hindn with a *pariah*." This is surely an absurd statement when it is remembered that Hindus are freely admitted to *durbars* and other Government ceremonies, and to social assemblies. He had never heard the objection raised by any English gentleman; and he knew that whenever any Hindn gentlemen and ladies broke down their reserve, or overcame their traditions, so far as to make some approach towards Englishmen, they were received with the utmost cordiality and kindness. Another illustration of Mr. Dadysett's peculiar method of establishing native claims is afforded in the following quotation:— "As a rule the Hindu has a smooth tongue and a propensity to flatter. If he is asked to give his opinion on a given subject, he generally re-echoes your own sentiments, and acts in such a manner that you can very soon come to the conclusion that he was, more or less, wanting in truthfulness and fair play. On the other hand, if he were to show himself less complaisant and speak out his own mind unreservedly, he would unfortunately be put down by our English friend as disloyal, insolent, cheeky, and as one who is making a very bad use of his university education." And then Mr. Dadysett ventures the astonishing assertion that, "a claim is raised by Englishmen to abolish colleges and reduce the standard of university education, which, in their opinion, tends to breed and nourish a set of discontented, half-educated, vain-glorious, and conceited babblers." This is surely a marvellous statement, when it is known that Englishmen support and subscribe to these institutions, and that Lord Ripon has spoken strongly in advocacy of education, the basis of all reform, and urged Indians to found and support schools, independently of the Government, on the voluntary system. It would be fairer—it would be most fair—to say that Englishmen in India desire, not to suppress schools, but to constantly improve them.

Mr. ABDOL MASJID said that he regarded the subject before the meeting as a very important one, for it concerned the stability of the



British Empire in India. That being so, he felt it a duty to offer whatever information he possessed on the subject from the native experience and knowledge that he possessed of the opinions of the natives on the subject. It was a fact well known in India that the treatment of natives by Englishmen was very much decried, and it was a matter of complaint that Englishmen who go from this country to India—young gentlemen having no experience of Indian matters—feeling themselves upheld by the powers in which they are clothed, at once despise the natives and regard them as below themselves. They consider themselves quite superior to the natives in every matter and every thing. The gentleman who read the paper discussed why the Englishmen and the natives do not mix, and he concluded, though indirectly, because the natives keep their family so secluded. But he (the speaker) in connection with this would ask, that apart from any social consideration of a family with family, in what way do the English treat the native gentlemen; even the respectable people who pay visits to them? He could in India refer to instances, but will not do so, as they would be thought very disgraceful to natives, and such as would cause a feeling of shame in Englishmen. (Murmurs of dissent, and a voice: "Will the speaker give instances?") To this the speaker replied. I would have given instances, but as I have to go back to India, I refrain from particularizing them. ("Oh" and laughter.) Proceeding, the speaker said that here in England we are free, we can speak our minds, but India is quite different; there we cannot assert ourselves and have not a chance of opening our lips without prejudicing ourselves. With much contained in the paper he agreed. He, however, thought it somewhat partial, and that its partiality must have arisen from ignorance of the case of people in other provinces of India, or it must have been caused by the writer not being well-acquainted with the facts of the matter in consideration.

Mr. DADYSETT: My remarks apply to the Bombay Presidency.

Mr. MASJID, resuming, said, that in that case he would forbear from dwelling any longer on that topic. Something, however, was said about Mahomedans who were educated having regard and affection for Englishmen, while those who were not educated were bigoted and opposed to the English and considered them Kaffirs. He was at a loss to know where the writer had received this exceptional opinion, for he held that Mahomedans, as a community, were quite as loyal as other natives; and he would ask the lecturer to cite

instances in which Mahomedans had given evidence of disloyalty (Hear, hear.) If this remark as to disloyalty was applicable to Mahomedans, it could as rightly be applied to all the other nationalities in India. (Hear, hear.) With regard to the exclusiveness of natives from the English society in India, he thought that it is certainly produced by the consideration that the English were allowed to enjoy all the good offices to the exclusion of natives. The natives get comparatively nothing. He, therefore, agreed with the lecturer in his remarks on this point. Then the lecturer had properly complained of the treatment of natives in respect of their being kept waiting by the Englishmen when on a visit to the latter. This was true; indeed there were many present who could tell how they had been treated in this particular. In concluding, Mr. Masjid said he had spoken his mind freely, but it would be seen that with certain exceptions he agreed with the paper.

Mr. H. M. HYNDMAN said, that he had come to the meeting intending to be a listener and not a speaker, but he would venture to say a few words on the subject before them, because the three native gentlemen who had spoken had exemplified, unconsciously, what was one of the difficulties of the British rule in India. The three gentlemen showed that we have to deal in India with a great variety of races, with very different characteristics, who do not agree among themselves as to the manner in which they should be treated. What Mr. Dadysett thought essential, the Rajah Rampal Singh considered injurious, and Mr. Masjid differed from both. An arrangement which would suit a Parsee excited the jealousy of a Hindu, and did not to conciliate the Mahomedan of the North-West. From this we may well appreciate the great difficulties which beset an English official in India, even where he is most anxious to conciliate the people. It had always struck him as strange in connection with our rule in India and the system of administration which we had set up, that while in the days before our *régime* there was no sense of inferiority felt by a Hindu who took a high position under a Mahomedan ruler, that feeling is manifest now (No). He had been informed by men who had distinguished themselves in the Government service that this was a common feeling, and that they were made to feel that their social position was not that of their British compeers. This disposition did not appear to exist under the old Mahomedan administration. Todar Mall, for instance, held absolutely equal status with the Mahomedans under the great Akbar, and if anything he was the most favoured of the ministers of the monarch. He was far from thinking

this difficulty of securing the confidence and regard of the natives of India was insuperable; indeed, he saw men in the room who had overcome the difficulty. But a great difficulty it was, nevertheless, and changes in the administrative system of India had not tended to reduce it. In the old days men went out to India at an earlier age than now, and were thus more susceptible to new impressions, and not fixed too deeply to European customs; and they served without the frequent breaks now customary; and the history of India shows that all those who have got on best with the natives have been men who landed in India as youths, have really lived in the country, and have attained social relation with the people. Mr. Hyndman recalled the fact that the East India Association was founded, amidst difficulty, to bring about the social relationship between Englishmen and Indians which all desired. Such a meeting as the present, where Englishmen of all classes met on terms of perfect equality natives of many different provinces of India, and conversed in friendly fashion on the needs of the Great Dependency, was one way to bring about the desired result. But in India this sociability is still more needed. Mr. Hyndman proceeded to avow his belief that India could not be governed successfully from London, and that the best thing we can do is to consider how we can best retire from the country. (Dissent.) Our rule in India has been injurious to the people, he believed—(No)—and famines and starvation are the result of our enormous drafts upon the country. (Question.) In conclusion, Mr. Hyndman said, he knew that there were many Englishmen who were looked upon with the greatest regard by the natives; and he was disposed to believe that this was an increasing class, but he held nevertheless that the difficulties in the way of materially improving the social intercourse between rulers and ruled in India were so great, as to give little room for expectation that the British Rule in India would be popularized.

MIRZA PEER BUKHSH said, he rose with pleasure to compliment his countryman and fellow-subject on the able paper read by him. He agreed with many points in it, but there were some things in which he differed. India has a population of 250 millions, and the Parsees number only about 100,000, so that it was not right to point to the Parsees as the representatives of the natives of India. About 60 millions were Mahomedans and the other 190 millions Hindoos, including the Bramahs, the Bancans, the Sudras, the Rajpoots, &c. Then against this vast number it must be remembered that the ruling

power—England—has but a population of 35 millions, so that there are seven Indians to one Englishman, so that it would best for the ruling power, as well as being its duty to do its best for that large population and try to make them happy; as regards social intercourse, he (the speaker) thought the natives would be glad to have the English mix with them more than they do, but the fact was, the Englishman would not. The official Englishman considers himself, compared with the native, something more than human, a kind of demigod; nobody can approach him. Mr. Dadysett said the Parsees and their ladies mix with the Europeans, but the others cannot. Englishmen don't like to mix with the natives generally, and they being rulers, perhaps are right. Another matter he wished to speak of, was education. He contended it was the duty of the Government to see that the Indian people are educated. The income of the country is 75 millions, but the Government only allow £750,000, just 1 per cent. on the income, for education. Hence, hardly 1 per cent. of the population is being educated. He complained that so much should be charged to India for pay of officials, and urged that much of this should be borne by the English Government, as well as a share of other expenses. He was very much afraid, the rulers of India if they did not take care, would have reason to repent their dealings with the finances of India. Russia is approaching India. In the space of two years she has advanced 600 miles, and although personally he wished she was thousands of miles away—for he was afraid Russia would ruin India—he felt the proximity of Russia would make a difference to England, and the best way to avoid this would be by concessions, so that the natives would find it to their interest to defend English interests. This was all the more necessary when it was considered that 200 millions are ruled directly by England, with 60,000 English troops, or 3333½ Indian and one English soldier, and if to native troops be added, say about 140,000, or in all English and native troops, 200,000 against 200,000,000, or 1000 Indians against one soldier. For example, if you have a flock of sheep, say 100, and to keep them in order there requires two dogs and two shepherds, and in India you have one soldier to rule 1000 Indians, it proves by the above that Indians are humane and loyal and faithful to their rulers. The best way to secure the loyalty of the people would be, not by increase of troops, but by taking care of the poor and relieving them from heavy taxation. The rich could be trusted to look after themselves.

Mr. J. E. MODI said the lecture was on a subject which very naturally gave cause for difference of opinion between Englishmen and

Natives in India, but he apprehended from the opening remarks that the too-landatory opinions expressed about the Parsees proceeded rather from Mr. Ginwala, than from Mr. Dadlysett. He could well imagine an erratic gentleman of Mr. Ginwala's peculiar fancies and quixotic opinions, saying things about his community which under all circumstances might be better left unsaid. It appeared to be usual with the natives to lay all the blame of the difficulties of the social intercourse with Europeans on the latter, and to ignore their own shortcomings. There was, however, another side of the question to look to, he referred particularly to the peculiar circumstances and conditions of Indian society. Allusion had been made in the lecture to the system of Caste, and that he regarded as one of the greatest difficulties. He thought it might be taken for granted that as long as Caste prejudices would prevent the people of India from mixing among themselves, like feelings would more strongly operate to check association with those who are foreigners, i.e., not only distinct in their nationality, but alien alike in their habits and mode of thinking. There was another matter which he thought ought to be attended to. It was for the educated Indians to exercise the right sort of influence in breaking down the existing barriers. Indian gentlemen come over to England, they stay here for some years, acquire cultivated habits of mind and refined manners, but when they return to India, they very often seem to leave these behind them, or at least do not seem to possess them. They do not seem to progress, perhaps because they are no longer under the civilizing and humanizing influences exerted upon them during their stay in England, and they with very rare exceptions revert to their old habits. This he thought was much to be regretted. Indian gentlemen who have been in England seven, eight, or ten years, ought to be sufficiently imbued with English ideas to be in a position to attempt to initiate some kind of reform within their domestic circle, which in course of time would spread in gradually-increasing circles into the different sections of Indian society, and might eventually alter it for the better. Perhaps the customs and habits of their own country are too strong for them to resist. Still there is no reason why they should not struggle against the baneful influences of the Caste system. There are many prejudices in India which at first sight seem very difficult to overcome. But they give way to a little effort of the right sort. He believed this would ultimately prove to be the case with the apparently insurmountable difficulty of domestic reform, if the educated Indians would take this matter up seriously and earnestly. They might begin by small reforms in their own home-life: try to

make their homes the centre from which might radiate the same kind of chastening influences that they experience in English homes, and then they will succeed better in promoting social intercourse. This, to a certain extent, is being now done, but the efforts of some of these reformers have not been attended with any very great success. And this task may well-nigh seem hopeless as long as moral courage and independence of character will be found wanting among the educated natives. He referred particularly to such cases as of those who have been to England, and from whom, naturally, the most is expected, and who will submit to degrading ceremonies in order to be re-admitted into their caste. Too much, he believed, was made of English exclusiveness. So far as one could judge, the majority of them do what lies in their power to promote friendly feeling, and it were better that the natives, on their part, met them half-way. The best way to bring this about was to introduce such education in native homes as would elevate the family, raise the social status of the native ladies, and, by so giving them their right position in society, make it possible for them to mix more freely in social gatherings. The objections raised by the English, and which have been mentioned in the lecture, are at present only too true. The only way to meet them was for the natives to make a movement among themselves for such reforms as would tend to break down the barriers of caste, and would enable them to combat successfully with the innumerable prejudices which such a system as caste engenders.

The Rev. JAMES JOHNSTON said, he thought Englishmen were scarcely getting fair play in the discussion, and, as he himself was a Scotsman, he ventured to offer himself as an impartial arbiter. (Laughter.) He thought the native gentlemen who had spoken did not sufficiently realize the difficulties that Englishmen have to contend with in India. There was, first, the climate. Former conquerors in the East have come from regions not far different in their character from the climate of India, so that it was easy for them to dwell amongst its people. The great success of the Greeks was due, in part, to the fact that after their conquests they settled down on the lands and became colonists, and lived on harmonious and intimate terms with the natives, communicating their language, their manners, and their arts. Alexander founded a Greek colony in a place as far remote as Afghanistan. In this way the conquerors were placed on a social line with the conquered, and an interchange of thought and feeling took place. But, with regard to the English in India, matters were entirely different. By the very nature of their constitution and the

climate in which they have been born they cannot be at home in India, they cannot bring up their children there, and a limited sojourn is, in most cases, a necessity. Social relations have, therefore, not a fair chance of growing up. Anything like hauteur or harshness in the manner or bearing of Englishmen in their official, commercial, or social intercourse with the natives of India, he deprecates, and denounces them as unworthy of our manhood and opposite to the character of Christian gentlemen. Mr. Dadysett seemed to suggest that those who are friendly and courteous among the English in India are rather the exceptions, whereas he (the speaker) was strongly of opinion that the exception was the other way. (Hear, hear.) From his knowledge of Englishmen abroad he had not found that they were generally harsh or unkind to people with whom they came into contact. There was often coldness of manner, which sprang from no want of feeling: it was a national characteristic, often hiding a nature of the deepest and quickest sympathies. (Hear, hear.) But that is no reason why Englishmen should not endeavour to get rid of that apparent asperity or haughtiness of manner, and they might learn something from the natives of India in that respect. He was glad to hear the last native speaker admit that there was a reasonable excuse for Englishmen, and it would be well for native gentlemen to understand that the difficulties opposing improved social intercourse originated more with the natives than the English. Englishmen saw that men of one caste refused to look kindly upon the men of lower castes, and regarded them as inferior creatures, often conducting themselves worse than the Englishman they complained of. Those caste distinctions, while they stood in the way of that intimate social intercourse which in England was so closely bound up with our eating and drinking customs, need be no barrier to the most familiar and friendly intercourse in all the relations of daily life, both public and private. Englishmen found that if they mixed themselves up with one set or caste of natives, and were "hail-fellow well met" with them, they were looked upon with increased jealousy and suspicion by the rest of the people. (Hear, hear.) So that with all due regard for the effect of kindness of manner, we must come back to the basis of British influences in India, and remember that the beneficence of our intercourse with the people rests upon righteousness and truth in personal character, and justice, administered with the greatest kindness, but also with firmness. Our position in India as a conquering race and a ruling power makes that position difficult and, in some respects, a beneficent anomaly. If it be desired to get rid of the anomalies of the British rule in India, they must

begin by getting rid of the English Administration altogether, for the greatest of all anomalies was that of an English Viceroy ruling 200 millions of Orientals from Calcutta. (Hear, hear.) But was that a course that any intelligent native of India could honestly desire and recommend for the good of his country? (Hear, hear.) They know very well that the British rule gives them order and justice and kind treatment, such as they never met with from the preceding conquerors of India—and there have been many. (Hear, hear.) As for the famines being attributable to the British rule in India, it was patent that by our care in preserving the lives of the Indian peoples, they were multiplying in a way they never did before. Where wars, civil disorders, misgovernment, and pestilence all combined to reduce, or retard, the increase of population, the British administration all tended in the opposite direction, and, perhaps, the means of life had not kept pace with the measures for preserving it. His own conviction was, that it was in education that the true solution of the difficulty was to be found. By the spread of education alone did he see any issue from the great difficulty of the food supply of the people. Generous education of the right sort, pervading the masses of the people from the highest to the lowest, and not confined to the few, would enable the people to take more care of their own humble produce, to cultivate the soil so as to best develop its natural resources, and to avail themselves of the many benefits open to them under a strong, peaceful, and just rule.

Mr. W. MARTIN WOOD said, that as the company present would be pretty well agreed as to the conclusion set forth in the paper, it might be more profitable for him to vindicate two or three points to which criticism might be applied. Great stress had been laid on the position of the Parsees, and while he agreed cordially with what was said of them, he asked the meeting to remember the relative proportion which the Parsee bears to the whole population of India. He said this in view of the remark in the paper: "If the English nation want to know the real character of the Hindoo and the Mahomedans, they must look to the Parsees." Many present would know the Parsee people intimately in all the relations of life, through having mixed with them in public affairs and otherwise, constantly and as far as their influence and their number go—and their influence is great in proportion to their numbers—they are a very considerable support to the English rule, but it might be very misleading to accept the Parsee's estimate of the Hindoo or Mussulmen communities. *Apròpos* of that he wished the writer of



the paper had said a little more about the Mussulman population. There was a passing remark on that subject (page 64), but that was exceedingly brief. Their President of the day, he (Mr. Wood) thought would agree with him on this point, because it was well known that his lordship has strong sympathies with this part of India's population, and that he recognizes and appreciates their influence and the very large part they have in everything that relates to the interests of our Indian Empire and the improvement of the people of India. He (Mr. Wood) would also remind the meeting that the late Meadows Taylor in his works, though written ostensibly on the Mahrattas, showed the strongest sympathy with the Mussulman population, and much that he wrote in the "Noble Queen," and other works, must be of great value to all who study the subject. Reverting to the paper, Mr. Wood said that a short passage on pages 62 and 63, was really the pith of the whole matter, for it was true that the stability of the empire must rest on the contentment and happiness of the people. No doubt everything that related to the bearing and attitude of the rulers toward the ruled was of vital importance, the substantial question was, How are the people provided for; how do they live under our rule? In the passage he referred to, stress was properly laid on the necessity of reducing the heavy military expenditure of India. In the sentence or two in which this was expressed, he (Mr. Wood) fully concurred. For his own part he could easily gather what was intended by the writer about the net revenues of India, but it would not be so clear on the surface to others. So he ventured to suggest to Mr. Dadysatt, that it would be well for him to set out the figures of expenditure and income which go to prove his contention. The general statement about 65 per cent. of the net revenue taken as it stood, would probably elicit, as in this instance the other day of the now Under-Secretary of State for India, regarding a remark of Mr. Hyndman: the charge of exaggeration. He (Mr. Wood) and others present, knew that the estimate of the large proportion of military expenditure was substantially correct; and it might as well be figured out in the record of the proceedings of the meeting. He was glad to notice that the writer made generous acknowledgment of the service of many Englishmen, whose names were revered in India. In connection with this recognition, he should like to mention one current instance in that of Sir Wm. Wedderburn, brother of a former highly respected and deeply regretted member of the Association, the late Sir David Wedderburn. (Hear, hear.) As that gentleman was now on his way to England, this was, perhaps, the only chance there might be of speaking so freely on that personal topic.

Therefore, he (Mr. Wood) might take the liberty of quoting from a Bombay journal just to hand, *The Indian Spectator*, to the following effect:—

"Sir William Wedderburn took leave of Poona under circumstances peculiarly gratifying. His last week there was divided between giving a last touch, so to say, to his numerous philanthropic schemes and attending farewell meetings in his honour. He was busy with work for the people till within half an hour of his departure, and was seen off the station by some of the principal inhabitants with feelings such as are seldom evoked at the departure of official magnates. Sir William is perhaps the most popular Englishman of the day, especially in Kattywar and the Deccan; popular not only as an officer, but as a friend of the people, emphatically as one of them in all the larger concerns of life. He goes home on Friday, having best utilized his two weeks' sojourn in this city; and very keen and wide-spread is the regret at his temporary absence."

It might be said that there was nothing peculiarly exceptional in the services thus warmly enlogized in that reference; and in all probability Sir William Wedderburn would disclaim any special merit for himself. But while there are many Indian officers who freely cultivate intercourse with the native community, there are others who shrink from what they may regard as extraneous services or efforts on behalf of the people. He (Mr. Wood) was well aware how closely the time of Indian officials was occupied, and how laborious are their duties; but the appreciation shown for Sir William Wedderburn and others mentioned in the paper ought to furnish an incentive to Anglo-Indians to take a little extra trouble in promoting social intercourse with the people. Such a course would not only bring comfort and satisfaction to themselves, but would have the result of reconciling the people to their rulers, and extending the good influence of the British rule. (Applause.)

Sir W. ROSE ROBINSON deprecated the political turn given both to the paper read and discussion which had ensued in a meeting summoned avowedly to consider a social question. He would not follow in this direction, but confine himself to the question of social intercourse. The general aspersion conveyed by the reader of the paper against Europeans could only be adequately met by the simple declaration that they were not true. The difficulty in the way of true social intercourse lay in the caste question. This he illustrated by showing the treatment which even Indian gentlemen who venture to come to England for purposes of study to compete for the Civil Service and the like, meet on their return to India at the hands of their relations and countrymen. Social intercourse is denied them; they are excommunicated, and even expelled the family circle. Social

courtesies may be exchanged and ostensibly maintained. Social intercourse in its true sense is barred by the spirit and system of caste. The obstacle and difficulty lie with the natives themselves.

Rev. J. LONG, referring to what had been said on the subject of promoting social intercourse between Europeans and natives of India, said, that this had been the object of various men for very many years past. For instance, more than twenty years' ago he had called on Lord Shaftesbury regarding this subject. His lordship cordially concurred in his (Mr. Long's) views, and said, "The best way I can show it is by 'inviting natives and Europeans to a party at my house; do ye elect 'the natives.' He (Mr. Long) did so. They first dined with his lordship, and in the evening there was a large party to meet them. On going out to India he called on Bishop Cotton with the same object, and he at once acceded, and used to invite natives and Europeans together to a social gathering at his house. Bishop Milman, his successor, continued them. He suggested that the practice of having "at homes" should be encouraged and extended by officials in India, for the social intercourse that followed such gatherings was most beneficial. Something was being done in another way. The National Indian Association, the hon. secretary of which (Miss Manning) he saw present, laboured indefatigably in the direction of breaking down the barriers to intercourse; and by its work, both in India and England, it was doing service by bringing native and European gentlemen together to talk of matters affecting India. (Hear, hear.)

Mr. R. B. SWINTON said, he did know whether the story which had occurred to him would be appropriate after the grave and tender-toned remarks of the last speaker—a story well-known to natives: Four blind men wanted to see an elephant; so one felt its leg, another its trunk, another its ear, and another its tail. The first said the elephant was like a mortar, the cylindrical block of wood; another that it was like a pestle, a thick heavy stick. The third, that an elephant resembled a winnowing fan, and the fourth, that it was like a brush. The moral being, every one had its dispute about God not being reachable by human thought. The moral was not so great here, but the speaker remarked how people who had not been in India noticed how Anglo-Indians differed, and he was surprised that on such a familiar topic as that under discussion there had not been more difference as to the paper itself, he must say it gave a very partial view of a large subject, and he regretted that the author had thought proper to speak of "vipers," and "John Bulls," and "Low Parinhs," forgetting that

the last were rising in number and importance, especially that having been as the giver of the paper showed, a Smb-Judge of *Baroda*, he should refer to the native snhordinates, Karkoons, and others, as low mean servile. There was no time for detailed criticism; but of course there was, as everybody knew, some truth in what the native gentleman, who spoke from the other end of the room, had said about native gentlemen being kept waiting, and the brusque manners of officials.

The Noble CHAIRMAN having called upon Mr. Dadysett to offer a few observations by way of reply to the criticisms which had been made,

Mr. M. D. DADYSETT said the discussion had been so prolonged and the points raised so numerous, that it would be impossible to deal with them adequately in the very brief space of time he could venture to detain the meeting. At the onset he might say that a good many speakers had forgotten that it was expressly stated, that the paper read was an expression of the sentiments of Mr. Ginwala. He might as well add that the political sentiments in the body of the paper and the quotations were his, but as respects the social sentiments therein expressed, he had but a small share in them. He said, with due deference to the chairman, that his Lordship's views were more or less coloured by the opinion which appeared in a recent number of *The Indian Spectator*, which he thought to be the partial opinion of an individual writer. It appeared to him that his Lordship thought, from his remarks on Hindoo ladies, that he, the lecturer, underrated them; but the fact is, that what he had said of them was from a general point of view. Referring to the next speaker, Rajah Rampal Singh, the lecturer said that though he spoke of having previously studied the paper, he failed to convince him, for if he had only perused carefully the whole of the paper, he would never have made the remark that injustice was done to the English. Without going further into the refutation of the remark, the lecturer said that he would content himself by quoting the words of Mr. Martin Wood on the subject. He says, "He was glad to notice that there was a generous acknowledgment of the services of many Englishmen in the "paper," etc. Reverting to the Rajah's remark, he said that it was absolutely without foundation. Referring to the Rajah's remarks as regards the Parsees, the lecturer said that the Rajah did not in any way seem acquainted with the Parsees and the general appreciation of their services by the English. Certainly, it would be expecting too much of him to know anything about the Parsee character, coming

as he does direct from the north-western part of India, where he could very seldom have had any opportunity of meeting the Parsees. As to the Parsee living in a corner of India, the Rajah seemed to labour under a great misconception about the importance of Bombay, which was and is, and always will be, the first city in India, and which in no sense is a corner of the world, as the Rajah's residence in London is. The Rajah having commented upon his words, "that as a rule an Englishman does not like the natives," he would simply draw attention to the speeches of subsequent speakers, by which he was borne out on the point, and which directly contradict the Rajah's statement. As to the next speaker, Mr. Abdul Masjid's remarks, they contradicted those of the previous speaker, and Mr. Abdul Masjid's remarks were in his opinion entitled to more weight than those of the Rajah, as he belonged to the same province as the Rajah, who had been nearly Anglicized by his prolonged stay in this country, and who by this time must have lost a great deal of his Indian ideas. As to Mr. Abdul Masjid's assertion that he imputed disloyalty to the Mahomedans, he denied the charge, and assured him that he had not intimated anything of the kind in the course of his paper. Alluding to Mr. Hyndman's comments, he said that without going into details, he fully sympathized and concurred with a great many of his remarks, except the latter, from which he differed. Pointing to the able remarks of Mr. Wood, who dwelt at length upon the line of arguments he had adopted, he believed they practically showed that he was in the right, particularly as Mr. Wood had some Indian experience. As to the next speaker, Mirza Peer Buksh, he agreed with him. The next speaker, Mr. E. J. Modi, he believed had adopted the proper line of argument, and he had no hesitation in saying that he fully concurred with every one of the views so ably expressed by him. He admitted the fault did not altogether rest with Englishmen. (Hear, hear.) And he would be extremely sorry to hear that he was understood to find fault with only the English; on the contrary, he had often come across the best specimens of courteous Englishmen, but he could not say so always. (Hear, hear.) That the natives of India themselves were, to a certain extent, to blame, was also his own view, as expressed by his friend, Mr. Modi. As to the next speaker, the Rev. J. Johnstone, he had very little to say, as he had adopted a line of argument different from the usual one. He would only add that the previous speakers had sufficiently pointed out the various disadvantages the natives laboured under, so he would not go over the ground. As to the next speaker, Mr. Martin Wood, he would only say that he

distinctively supported his views, and certainly Mr. Wood's opinions were entitled to every respect, as he had spent a great part of his time in Bombay. He fully endorsed Mr. Wood's remarks on the latter part of his paper, and fervently desired that there were one thousand more Wedderburns. As to Sir W. Robinson's remark, he would only make a few observations. Sir W. Robinson had ventured the assertion that his statements were untrue; as to which he need only draw his attention to Mr. Hyndman's remarks on the point. He should also have remembered that, although his experience in India had been great, it had not been universal. Those who had come into much contact with the young British civilian would understand that Sir W. Robinson's experience must have been peculiarly fortunate, if he was satisfied with them all. The next speaker, the Rev. J. Long, who has had an ample experience of Indian life, had practically supported the same line of argument for promoting social intercourse advocated in the paper. He endorsed every word spoken by the Rev. Mr. Long as to the exertion made by the National Indian Association to promote social intercourse between Europeans and natives of India; and specially the disinterested exertions of the Hon. Secretary, Miss E. A. Manning, were beyond all praise. He went further, and said that the efforts now made by the Northbrook Indian Society, and in particular by Lord Northbrook as chairman, assisted by Sir Barrow H. Ellis and Mr. G. S. V. Fitzgerald as vice-chairmen, to promote social intercourse between Englishmen and natives of India, are most warmly appreciated, not only in England but throughout India. (Hear, hear.) He ventured to assert that their exertions though slow were sure, and that they will eventually become recognized throughout India as the pioneers of social intercourse with Englishmen. (Hear, hear.) In conclusion, he thanked the ladies and gentlemen for the courtesy and attention they had extended to the reading of his paper. (Hear, hear.)

The Rajah RAMPAL SINGH proposed a cordial vote of thanks to the Right Honourable Lord Stanley of Alderley for his able conduct in the chair.

Mr. M. D. DADYSETT seconded the motion, which was cordially adopted, and his Lordship bowed his acknowledgments.

The sitting then terminated.

*The following letter was sent to Mr. Dadysett which at his request is inserted.*

ST. STEPHEN'S CLUB,  
8th February, 1883.

MY DEAR MR. DADYSETT,

I was very sorry not to be able to speak on your paper yesterday, but the political turn the discussion took put it out of my power.

I sympathize with the greater part of all you said, and heartily approved of the excellent spirit in which you treated your subject. You were blamed for want of tact in standing by the Parsees so strongly. But you did what, being a Parsee, you ought to have done, and I hope will do again and again; you spoke from your heart, and the truth of your heart. You must ever do so,—and you will find, moreover, that the truth is always in the end the highest tact.

I should have taken very much Mr. Mody's line in my remarks. The improvement of social relations between Europeans and natives in India is of considerable importance. The natives are loyal to us, they recognize that our government is more strong, more just, than any which preceded it; and it is painful to know that, notwithstanding this, they find it more irritating to their susceptibilities. But too much may be made of the elements of repulsion which mutually separate us; and I would myself leave them as much as possible to the silent and beneficent mediation of time.

It is impossible that two people, each so unique in their own way, as the English and Hindus—and you, Parsees and Mussulmans, in India are all Hindus—should come into contact, and not experience mutual repulsion as well as attraction:—only the repulsion is but for a time, while the attraction is for ever. We belong to the same stock, and in returning to India, after long wanderings from our common home in Central Asia, we but return to a country peopled by men of our own Aryan blood. But meanwhile we have developed in a distant island of the Atlantic a highly specialized race and culture, and you, Hindus, and Hinduized Parsees and Mussulmans, as independently formed and strongly marked a race and culture of your own; while the isolation in which the race of Brahminical Hindue has been produced in India has not been due to the Himalayas, as some argue, but has been artificially created by the Code of Mann.

There is the rub. The repulsion between us is more due to your Caste system than to any exclusive spirit on our part. Remember how when a native was made a judge the other day in Calcutta, and was invited by the native pleaders to a dinner in honour of the event, yet because he was not of so high a division of the Brahmi-

nical Caste as his hosts, they occupied the chief inner room, while he, one of the judges of the Calcutta High Court, was relegated to a lower outside one, and had to sit outside with Brahmins of a lower order. You know very well that when a Hindu shakes hands with a European he has immediately afterwards to go and ceremonially cleanse himself from the assumed pollution. And then there is your unmanly treatment of woman. All these things should be considered before we English people are blamed for our insular social customs, and manners, and bearing. We, on the other side, ought to allow more than the ignorant among us do for a people who have sat behind the Himalayas for 3000 years under the light of the Brahminical law, and who now find themselves suddenly overtaken by a flood-tide of English freedom,—free laws, free speech, free trade, free thought, free morals, and a free world, and a free course in it for everybody. That is really where we wound the susceptibilities of the sacro-sanct people of India.

Particularly, you educated native gentlemen should make the utmost allowance for any reticence of manner, and airs of exclusiveness you may observe in Englishmen in their social relations with the people of India; for when after years spent in England you return to India, you feel as acutely as any Englishman the gulf your superior, or rather, I would say, your modern Western culture has placed between you and your own countrymen who have always stayed in their antique Eastern home. But this will all pass as the people of India come to know more and more of English culture, which has an immense attraction for them, and the people of England come to know more and more of Hindu culture, of which unfortunately they are still very ignorant, but which the loving labours of Professors Max Müller and Monier Williams are surely, if slowly, making plainer to their understanding. The good change will come before you have reached your three score years and ten. Meanwhile, always speak as kindly of us as you can in truth, and particularly of our young civilian and soldier, "boys of nineteen," on whom you press so hardly. Think of the countless faces you have seen in *The Illustrated London News* and *The Graphic*, for these five years [past, of beardless boys who have died in battle for our common Aryan civilization. Neither in less glorious paths of human duty have they done so very badly. It is these English "boys of nineteen" who, in commerce, in the mercantile marine, the army, and the navy, and the colonial and Indian civil services, for the most part keep together the proud Empire, which has been founded in their devotion and their blood.

Ever sincerely yours,

GEORGE BIRDWOOD.



*The following Petition was presented by Mr. J. O. Thompson, Member for Durham, to the House of Commons, on behalf of the Bombay Branch of this Association :—*

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND IN PARLIAMENT ASSEMBLED.

*The Humble Petition of the Managing Committee of the Bombay Branch of the East India Association.*

MOST RESPECTFULLY SHOWETH,

1. That your petitioners have observed with much regret that Her Majesty's Government have proposed to charge the cost of the Indian Contingent of the Egyptian Expedition to the Revenues of India, and they therefore beg to approach your Honourable House with this appeal, which they hope will receive consideration in the final determination of the question.

2. That before entering into the merits of this question, your petitioners beg to express their heartfelt delight at the speedy termination of the Egyptian War and their gratification at the honours reaped by the Indian troops engaged in it.

3. Your petitioners humbly venture to point out that the proposal of burdening India with the cost of the contingent is not at all justified by the nature of the war, as it was not undertaken for the interest of India. The origin of this war is clearly defined by the Prime Minister himself, in his statement on the policy and objects of the intervention in Egypt. He says:—"With regard to the question, what have we to do with this (the internal condition of Egypt), I say, it is too late to ask it, for we have undertaken engagements towards Egypt—which I trace back to the proceedings at the time of Sir S. Cave's mission, but more to the establishment of the control and the substitution of Tewfik for his predecessor—from which we cannot escape with honour."

It was thus this control, and the subsequent complications issuing from it, which made it incumbent upon England to interfere with the internal affairs of Egypt. But your petitioners humbly beg to remind your Honourable House, that India had nothing to do with this control. Your Honourable House are aware, that this control was jointly undertaken by England and France, and the latter country had no Indian interests to look after in undertaking it. Hence it follows, that England too had no Indian interests in view in entering upon this control.

4. Not only were Indian interests, as above shown, not involved in the origin of this war, they were not even affected by its subsequent progress. It has been said that Indian interests were involved in the war in consequence of the threatened interference with the Suez Canal, in which India is very much interested. The history of the war, however, shows that the Canal was never seriously in danger. The leader of the rebellion in Egypt is reported to have distinctly assured M. De Lesseps that no interference with the Canal was contemplated. And considering that the interests of all the European nations were involved more or less in the safety of the Canal, it was not likely that the rebels would have alienated all sympathy from themselves by an interference with it.

5. Her Majesty's Government, however, have not relied upon the above argument alone, in support of the proposal to charge a part of the expenses of the war on India. The Secretary of State for India seeks to justify the proposal on a different ground. He says:—"Then it is of great importance that we should be able to proclaim to the world, that we can trust our Indian troops whether they are composed of Mahomedans or of adherents of any other religion. It is important besides that we should be able to proclaim to the world that our military forces in India are not solely a garrison, but that they form part of the forces of the Crown, and are able to support the policy of this country."

Your petitioners venture to say that this argument affords no ground in support of the step it is advanced to justify. The end referred to by the Secretary of State for India has been served by the mere employment of Indian troops in the Egyptian war, and the end is in no way further advanced by throwing any part of the cost of the war upon the revenues of India.

6. Your petitioners therefore humbly appeal to your Honorable House to follow the course adopted with regard to the expenses of the Abyssinian Expedition, which is an exact precedent in point, and to avert from the people and revenues of India this threatened imposition of the charges of the Indian Contingent. The imposition of these heavy charges will check the industrial progress of the country and tend to deepen the poverty of its people, thus tending to counteract the effects of the enlightened policy in those respects which the present Government of India has adopted. In urging this, your petitioners beg to point to the fact, that the Government of India have been constrained to resort to a loan meeting this burden, which is, for the present, partially laid upon the finances of this country.

7. That your petitioners therefore humbly pray, that having

regard to the nature of the war and the poverty of this country, your Honourable House will decide to charge the cost of the Indian Contingent to the British Treasury, and not in any way impose it on the revenues, people, or resources of India.

And your petitioners, as in duty bound, will ever pray.

RAGHOONATH NARAYEN KHOTE,  
Chairman.

DAJI ABADI KHARE,  
Honorary Joint Secretary.

Bombay, 18th October, 1882.

*The following Memorial against India contributing to the expenses of the Egyptian expedition has been presented by the Council:—*

EAST INDIA ASSOCIATION,  
26 CHANCING CROSS, LONDON, S.W.  
5th March, 1883.

TO THE RIGHT HONBLE. THE EARL OF KIMBERLEY,  
HER MAJESTY'S SECRETARY OF STATE FOR INDIA

MY LORD,

The question of the adjustment of the accounts connected with the Egyptian Expedition being apparently still under review, Memorialists venture to submit the following remarks for the consideration of your Lordship, as a Member of the Cabinet entrusted with the duty of advocating the interests of the people of India.

2. Your Memorialists fully acknowledge the advantages that accrue to India from the maintenance of the passage through the Canal, and also recognize the unity of interests that should always exist between Great Britain and her Eastern Empire. Yet as the War which has so recently been brought to a successful issue was entered upon in pursuance of a European policy and mainly for the protection and advancement of European interests, they feel that they can confidently appeal to the sense of justice of a British Ministry to induce it to refrain from imposing on the revenues of India any portion of the extraordinary expenses on account of transport, extra pay, rations, &c., that have been incurred in placing the Indian troops on the scene of action.

3. That the services of the Indian Contingent proved so valuable in aiding towards securing the rapid termination of the campaign in which all Her Majesty's subjects connected with India, European and Native, are proud to remember they have borne so honourable a

part, affords an additional reason why the taxpayers of India should not also be expected to sustain the special and extra outlay described above.

On behalf of the Council of the East India Association,  
 EDWARD B. EASTWICK, *Chairman.*  
 RAMPAL SINGH, *Vice-Chairman.*

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REPLY.

INDIA OFFICE, LONDON, S.W.  
 March 8th, 1883.

SIR,

I am desired by Lord Kimberley to acknowledge the receipt by him of your letter of March 5th on the question of India contributing to the cost of the Egyptian Expedition.

I am, Sir,  
 Your obedient Servant,  
 ARMINE WODEHOUSE.

EDWARD B. EASTWICK, ESQ.,  
 CHAIRMAN,  
 EAST INDIA ASSOCIATION.

"is

"the

"the letter sent to the Secretary of State for India seeking the  
 "the repeal of the import duty on gold and silver plate, and the  
 "reply thereto, are subjoined:—

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EAST INDIA ASSOCIATION,

26, CHANCERY CROSS, S.W.  
 6th March, 1883.

THE RIGHT HONBLE. THE EARL OF KIMBERLEY,  
 HER MAJESTY'S SECRETARY OF STATE FOR INDIA.

MY LORD,

I am desired by the Council of this Association to ask your Lordship's attention to the Memorial asking for the repeal of the Import Duty on Gold and Silver Plate at page 225 in the accompanying Journal (vol. xiv), original of which was sent to the Marquis of Hartington on the 24th March last, and I am desired to express a hope that the arguments therein contained may now receive your Lordship's favourable consideration.

I have the honour to be,

My Lord

Your Lordship's obedient servant,

W. HAMILTON BURN, *Secretary.*

## REPLY.

INDIA OFFICE, S.W.  
14th March, 1883.

R. S. & C. 565.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 6th inst., and to inform you in reply that a letter was addressed to the Treasury on the 7th ultimo, expressing, with reference to previous correspondence, Lord Kimberley's hope that the question of plate duties would receive the early consideration of their Lordships.

I am, Sir,

Your obedient servant,

(Signed) H. HILL, Assistant Secretary.

THE SECRETARY,  
EAST INDIA ASSOCIATION,  
26, CHANCERY CROSS.

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*The following Memorial was sent to the Secretary of State for India:—*

TO THE RIGHT HONBLE. THE EARL OF KIMBERLEY,  
HER MAJESTY'S SECRETARY OF STATE FOR INDIA  
IN COUNCIL.

*From the Council of THE EAST INDIA ASSOCIATION.*

MAY IT PLEASE YOUR LORDSHIP,

We take leave to forward for the notice of your Lordship in Council copies of the enclosed documents emanating from the Bombay Branch of this Association. In these letters and resolutions the following subjects are dealt with, viz.:—

- (1) Public Instruction.
- (2) Local Self Government.
- (3) Encouragement of Native Manufactures.
- (4) Egyptian War Expenses.

Our object in bringing these papers to your Lordship's notice is, primarily, by way of affording information as to the views held on the several matters in question by our members in India, most of whom are natives of that country. It is obviously an advantage for the authorities here to become directly acquainted with the sentiments and wishes of the more active-minded portion of the people in our great dependency.

2. In bringing these papers to your Lordship's notice we abstain, for sake of conciseness, from urging our own views on the subjects treated of, though there are some points referred to in respect of which we might have been inclined to speak more emphatically than the Committee of our Bombay Branch have done.

3. It may, however, be permitted us to refer briefly to certain principles bearing on the questions dealt with in these papers. With regard (1) to the Education Commission now drawing its labours to a close, we may venture to recall that it was under the auspices of this Association that the only public debate took place prompting to the appointment of that Commission (see *Journal of the East India Association*, vol. xiii, No. 3). The mass of information collected by Dr. Hunter and his colleagues, and the enthusiasm evoked by their visits to the various cities of India, more than compensate for any trouble and expense incurred in carrying out the inquiry; and while the need for extended and more thorough elementary schooling has been demonstrated, the care bestowed by successive Indian administrators on the nurture and development of collegiate instruction has been more than vindicated. The people of India, by the proceedings before the Commission and the utterances of its President on its behalf, have received fresh assurance that the impartial and unsectarian policy of the Government of India will be maintained.

4. In reference to the proposals promulgated by the Government of His Excellency the Marquis of Ripon inviting the people of India to a real participation in the administration of their local affairs, we can only express an earnest hope that the proposed measures, by inspiring confidence amongst our fellow-subjects in India, may induce them to take an active and intelligent interest in the introduction of sanitary and other improvements on which their own future welfare and prosperity must greatly depend. In passing, we may refer to the ardent manner in which this recognition of the people's ability to manage their local public business has been responded to in several parts of India, notably so in the Deccan and Guzerat, the resolution from Bombay forwarded herewith affords pleasing evidence of that intelligent, popular approval.\*

\* This large, and, in some respects, difficult subject having at various times been written upon by our members, we take the liberty of appending references to the principal papers regarding it that are on record in the *Journal of the Association*:—Vol. I. W. E. BONNERJEE, Esq.—Representative and Responsible Government for India.

The Admission of the Natives of India into the Indian Civil Service.

Vol. II. EDWARD B. EASTWICK, Esq.—The Representation of India in the Imperial Parliament.

5. The gratitude of our members in India towards the authorities for the active steps taken to recognize and support local manufacturers and indigenous industrial art finds expression in No. 3 of our enclosures. Whilst well aware that it would be inconsistent with economic principles to foster either decayed or exotic interests, we believe that your Lordship's approval may be safely given to the Government of India's effort to utilize the natural resources of the country, and encourage the efforts that are being made to restore or extend manufactures and handicrafts which, once assured of existence, can, by dint of the cheap labour of India, securely hold their own, thus promoting the outlay of public funds in the country itself.

As your Lordship in Council is well aware, one of the drawbacks to the condition of the people is their too great dependence on agriculture alone. This subject was touched upon by the Famine Commissioners in Part II, chapter 6, of their "Report," and dealt with more fully in the Hon. Major Baring's last Financial Statement, pars. 125-34.

These authoritative utterances on this practical subject will no doubt continue to have full weight with your Lordship in Council; and, in common with our Bombay members, we hail with satisfaction the active efforts recently made by the Government of India to utilize native products and local industries in obtaining supplies for the public service.

6. With regard to enclosure No. 4, we have already addressed your Lordship in a separate communication on that subject.

On behalf of the Council,

EDWARD B. EASTWICK, *Chairman*.  
RAMPAL SINGH, *Vice-Chairman*.

28th March, 1883.

Major EVANS BELL.—Claims of the Natives of India to a Share in the Executive Government of their country.

Vol. V. Sir BARTLE FRERE.—The Means of Ascertaining Public Opinion in India.

Vol. VI. J. T. PRITCHARD, Esq.—The Representation of India in Parliament.

Vol. VII. J. T. PRITCHARD, Esq.—The Right of India to Representation in Government; the Work of the East India Association, the Duty of Indian Political Associations and their Relation towards the Government.

Vol. IX. Major EVANS BELL.—A Privy Council for India.

Vol. XI. Sir DAVID WEDDERBURN, Bart.—Delegates for India.

# JOURNAL

OF THE

## EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

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### LIBERAL PRINCIPLES IN INDIA.

PAPER BY H. G. KEENE, ESQ., C.I.E., M.R.A.S.

*(Fellow of the Calcutta University),*

READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON FRIDAY, MAY 18, 1883,

THE RIGHT HONOURABLE LORD STANLEY OF ALDERLEY

IN THE CHAIR.

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A MEETING of the members and friends of the East India Association was held on Friday afternoon, May 18, 1883, in the Exeter Hall Council Room, the subject for consideration being "Liberal Principles in India," introduced in a paper by H. G. Keene, Esq., C.I.E., M.R.A.S., Fellow of the Calcutta University.

THE RIGHT HON. LORD STANLEY OF ALDERLEY occupied the chair, and among those present were the following:—Admiral Campin; Hon. E. L. Stanley, M.P.; Sir William R. Robinson, K.C.S.I.; Sir N. A. Staples, Bart.; General Sir William Wyllie, G.C.B.; the Raja Rampal Singh; General MacLagan, R.E.; Lient.-General Schneider, C.B.; Lient.-General H. St. Clair Wilkins, R.E.; Major-General G. Burn; Colonel Douglas Grant; Colonel R. M. Macdonald; Colonel G. B. Malleson, C.S.I.; Colonel Sandwith; Colonel J. G. Touch; Major Buller; Mr. Roper Lethbridge, C.I.E.; Mr. R. H. W. Dunlop, C.B.; Rev. James Johnston; Rev. J. Long; Rev. G. Small, M.A.; Surgeon-General Balfour; Dr. G. B. Clark; Dr. D. H. Callimore; Dr. M. Mitchell;



Dr. Nash; Dr. Niven; Surgeon-Major W. Nolan; Dr. D. H. Small; Lady Wilde; Mr. Tahrir Uddin Ahmed; Mr. A. Arathoon; Mr. C. W. Arathoon; Mr. Lala Balmokand, c.e.; Mr. and Mrs. C. N. Banerjea; Miss Banerjea; Mr. Charles Boulnois; Mr. J. R. Boyd; Miss Bachaaan; Mirza Peer Bukhsh; Mr. J. S. Campbell; Mr. A. K. Connell; Mr. James S. Cotton; Miss S. Cotter; Mr. L. E. Creasy; Mr. J. Dacosta; Mr. Kristnalal Datta; Mr. Davidson; Mr. R. Dawson; Mr. and Mrs. R. E. Forrest; Mr. C. W. Frid; Mr. Garnett; Mr. M. Gupta; Mr. S. M. Hossain; Mr. M. Ibrahim; Mr. J. Seymour Keay; Miss Keene; Mr. Hamid Ali Khan; Mr. H. M. Kisch; Mr. M. Kumaruddin; Mr. J. Macdonald; Mr. M. Abdool Majid; Mr. J. E. Modi; Mr. Marcus W. Mott; Mr. Robert G. Orr (of Madras); Mr. Lala Pormanaud; Mr. Partridge; Mr. G. Paton; Mr. Hodgson Pratt; Mr. Lala Ganga Ram, c.e.; Mr. J. Barr Robertson; Mr. Julian Robinson; Mr. Alexander Rogers; Mr. S. K. Sanjaua; Mr. Ardeslair Kavasjeeo Settna; Mr. John Shaw (Madras); Mr. and Mrs. R. Spankie; Miss Spankie; Miss A. Spankie; Miss Meadows Taylor; Mr. G. Walpole; Mr. Edward Watts-Russell; Mr. W. Wedlake; Mr. D. S. White; Mr. W. C. R. Wildy; Mr. George Winchly; Mr. Charles N. Wood; Mr. W. Martin Wood; Mr. W. Hamilton Burn (Secretary), &c.

The Noble CHAIRMAN, in introducing Mr. Keene, said that that gentleman had formerly been a Judge at Agra, and so would be well qualified to give an opinion upon the great Indian questions of the day.

Mr. KEENE: My lord, ladies and gentlemen: when looking at the distinguished assembly that has done me the honour to be present here, I feel that it is hardly necessary to express any apology for introducing to your consideration a subject connected with India. Perhaps I shall be reminded of the old story of the cobbler and his leather when I say that I think it is almost impossible for any intollient citizen of this empire to blind himself to the fact that England's imperial position is very considerably due to her possession and her tranquil possession of India, a position which I believe is unprecedented and unexampled. No doubt there might happen many changes which would affect the grandeur and the prosperity of this empire and the imposing attitude which our beloved country occupies towards foreign powers, but I think we must all agree that no change could have such important results as the loss to us of our Indian possessions. I need not dwell at length upon that matter, but it must be my excuse, if any be needed, for introducing this subject to your notice to-day.

In reference to the title that has been chosen for this lecture, I beg leave to premise that it is not intended to convey a party meaning; for a Dependency such as India is not of a nature to be discussed upon the grounds of party. To English ears the word "liberal" has a political sound, which may be, to some, distasteful. Indeed that is no new thing. So far back as the year 1805 the word was used and withdrawn by no less a person than Napoleon Bonaparte in a speech from the throne replying to an address from the Legislative Body. The Emperor spoke of "philanthropic and liberal ideas;" but next day, on its appearance in the *Moniteur*, the sentence was found to have been altered, and in place of "liberal," the word "generous" had been substituted. Shall we follow that masked enemy of liberty, or range ourselves under the great Englishmen who have so largely affected modern thought and life? I hope we need not be ashamed to take the latter course, and use a word consecrated by the labours of Bentham, Remilly, Mackintosh, and the Mills, father and son.

Such doctrines, indeed, are now so generally accepted that, in the wise spirit that has usually governed their application, they deserve to be called by the name of "Progressive Conservatism." But, in their inception, they were attacks upon once prevalent abuses and restraints; and so were truly "liberal." In India they have certainly maintained that character. Devised by public opinion, as the prerogative of a benevolent despotism directed against the rigidity and darkness of a backward civilization, they still merit that name, and I hope to be excused if I still prefer to use it. But I am willing to spell it with a small "l," provided I can satisfy you that they are beneficial, and that it is a point of honour to keep them up in India.

They have not, however, made their first appearance there in British hands. India has twice before been conquered by white invaders. The conquest of the Vedic Aryans is hidden by the clouds of an unhistoric past; but we know enough, thanks to the labours of Prof. Max Müller and others, to see that those early conquerors possessed the germ of liberal principles, and preserved them, though without any very active development, through long succeeding ages. Then followed the invasions of the Afghans and the dark period of mediæval violence. But, again, the light breaks forth. A compound people, called in India, for want of a better name "Mughals" (who were in fact the outcome of Asiatic civilization acting on the mingled blood of Mongol, or Mogul, Turks and Persians), overthrew the Afghan dominion, and founded a mighty power that endured in splendour for about two hundred years. We must not look on this as a "native" power. The Mughals, like the Afghans whom they replaced, were

Mussulmans; but they were not bigots, and their position resembled our own. They were white men. More than a century after their first arrival, a Spanish clergyman, Father Manrique, was invited to meet the Emperor Sháh Jahan at dinner in the palace of the Prime Minister at Lahore. Contrary to established Mussulman usage, the ladies of the Royal family were present at table; and the good father has described to us, in his high-flown old Spanish, how the daughters of great lords, of kin to the Minister, bore their part in the reception, lovely and "rutilons," and "who, in complexion and brilliancy of hair, might compare with the fairest maidens whom the frigid Boreas brings forth." These Mughals combined Persian civilization—which then stood very high—with a good remnant of the old military virtues of Changhez Khan's world-subduing Tartars. They had many of the arts both of peace and war; gold and jewellery and weaving and embroidery, fire-arms and artillery, and discipline as then understood, and architectural skill that has not been surpassed in Europe. To them, as to ourselves, India was a land of darkness and barbarism, a place of laborious exile. The unfavourable description of the country and its inhabitants in the autobiography of the first Mughal conqueror, the Amir Báhar, has been often quoted.

Like ourselves, also, they were there to sink or to swim. Two courses were open then, as these are still: they could either rule their conquest in a spirit of predatoriness and privilege, caring only for themselves and what they could get from the country; or, on the other hand, they could identify their interests with those of the people, and so govern that themselves should benefit by what benefitted India.

Both ways were tried by the Mughals, the second with complete success at the beginning, the first with utter ruin at the end.

Space and time—those primal elements—forbid a detailed contrast between the system of Akbar (the Karolus Magnus of the East), which formed and consolidated the Mughal Empire, and that of Aurangzeb who initiated its fall. Some features of the two systems will be mentioned presently. We must be here content with noting that the former anticipated almost all the great liberal measures that the British have revived. He reformed the law, the revenue system, the coinage; he introduced natives into the administration and repressed the usurpations of his countrymen; he maintained the village-system of local self-government, and brought out an *Imperial Gazetteer*! His great-grandson, Aurangzeb, reversed that policy, bringing back intolerance and a foreign code, imposing special taxation on the Hindns, and excluding them from all share in the administration

which he centralized and made despotic. Before his death all the more warlike of the Hindu nations were in revolt; twenty years later the empire was reduced to a precarious hold over the home counties. Foreign invasion soon followed.

The recent policy of the Marquess of Ripon and his advisers having attracted some attention in this country, I have thought that a few remarks from one who has recently returned from thirty-five years of official life in that region might be of use in helping an apprehension of the real facts. My knowledge of the subject is based upon a constant intercourse with the people (greater than I could have enjoyed in positions generally regarded as higher and more authoritative), and on considerable study of their past history.

Information about India is generally obtained from gentlemen who have risen in the Secretariat, and held offices of dignity where they have not seen much more of the natives than if they had lived in London. To understand the character of the people you must also consult the natives themselves, and amongst Europeans the planters, missionaries, and local officers (including those who have risen in Native Regiments). That I have served in a provincial situation for thirty-five years is my chief right to address you here to-day.

I have hinted what it is I understand by "Liberal principles." Not of course quite the same as here. The natives are not fit for household suffrage; and if they used it the result might perhaps be a *plebiscitum* unfavourable to British dominion. Nor do I think that the welfare of India is to be advanced immediately by the mechanism of reformed institutions. Like all countries where population has a tendency to grow more rapidly than food or emigration, its troubles are serious. But the treatment demanded is rather economical and social than political. The East is not as the West, and the evolution there has not reached the democratic stage. We must confine ourselves to a fundamental Liberality, a desire to smooth the path of worthy ambition, to lighten loads, and to minimize monopoly and privilege. This has been slowly growing since the days of Lord W. Bentinck. May I take that veteran Liberal, Mr. Bright, as an instance of confusion on this subject?

Mr. Bright is, and deserves to be, a great force in English life. Not only is this due to his oratorical power, but perhaps even more to the qualities of mind from which that power proceeds. Whatever he says to us is felt to be the utterance of a mind experienced in public affairs, yet sweetened and purified by a natural earnestness and transparent simplicity which wins attention from a people earnestly striving to do what is right, and weary with imperial cares. He is also one of

the few English politicians who has endeavoured to lead opinion on the subject of India and to realize the greatness of its importance. He is heard with respect, even when he condescends to make a joke; he is listened to with serious consideration. When therefore, in his recent address to the University of Glasgow, he supposed the opponents of the present policy in India to object that you could not hope to rule an empire won through the breach of all the ten Commandments, by practising the principles of the Sermon on the Mount, he condensed into an epigram a good deal of what is floating in the minds of his contemporaries; and, when he proceeded to hint that thoughts of this sort might be engendering a tendency to the administration of the Indian Empire upon lines that would lead to its loss, he may have been anticipating the feelings, and indeed the doings, of a not remote posterity. It may not, however, be quite presumptuous for us to examine briefly the past and present condition of the vast peninsula that is known to English geographers and politicians by the name of "India," in the hope of finding a better clue to the duties and interests of the British in the preparation of its future.

Mr. Bright proceeded to apply his idea of the subject in the following way:—"All the good," he said, "that we are endeavouring to do, by education, by improved legislation, everything that tends to lift the native a little higher, necessarily must tend to give his mind feelings which some time or other will be hostile to the permanent subjection of his country to another country."

Taking these words as our text, let us see if they are unavoidably true; if in the circumstances of the case they constitute a political axiom. For if that is so we must, I think, come to the conclusion that good Lord Ripon is unintentionally playing the part of an extended Mr. Parnell, and that his course requires not merely to be retarded, but to be absolutely and instantaneously arrested.

It is, however, my humble proposition that no such conclusion will be found to follow from the actual facts. I believe that education is doing nothing but good to the relations between the Dependency and the Metropolis; that legislation can be improved in the same sense; and that India is not a "country," in the sense that its inhabitants are doomed by an inexorable fate to be led to independence by patriotic aspirations.

This last is such an important consideration, and one so difficult to be understood by people situated as we are, that it may be well to invert the order of Mr. Bright's sentences, and to begin with a glance at the nature of the land and its inmates.

Let any one, who has the opportunity, go into a good library and

take down from the shelves *The Imperial Gazetteer*, lately published by the India Office, under the able and industrious editorship of Mr. W. W. Hunter, C.I.E. He will there find the description of a continent, hanging indeed to a larger continent, but differing from it in almost every respect. Nine large octavo volumes contain merely an abstract of the various provincial materials in which are collected and set forth the topography, climate, ethnology and general statistics of a group of nations occupying an area as large as that of Europe without Russia,—Europe, that is, as it existed when Henri Quatre conceived the dream of federating it into a political union. Such a federation, be it noted, would not have made Europe into a “country” for patriotic purposes. The project did not extend so far as that; and, such as it was, what progress did Henri Quatre’s project display in the two and a half centuries that first followed? Let the answer be given after reading the “History of The Thirty Years’ War,” “The War of the Spanish Succession,” and “The Career of Bonaparte.” Since then indeed some steps may seem to have been taken. The Empires of Austria and Germany have made an approach to consolidation, and Italy has become united. A time may even be imagined when Denmark will be brought under the rule of Scandinavia, and Belgium be joined to France. But would such events bring us nearer to a reconciliation between Catholics and Protestants, between the Celto-Latin races and the Teutonic races? To ask such a question is to answer it.

Well, that is the condition of India. Once, or more than once, invaded by Aryan element-worshippers from the North, it had never been united under one rule before the Muhammadan Conquest. Since that time its population has included three principal sects of idolators, a large percentage of followers of the Arabian prophet, a host of wild aboriginal devil-worshippers, a score\* of languages, each unintelligible to the speakers of another, at least three systems of law, and mutual political jealousies of several rival races. That railways and telegraphs, a *lingua-franca*, a tendency to community of legal and political principles, may years hence tend to produce a *modus vivendi* among communities having as yet so many and great differences, is possible and to be hoped for. But that is not the same thing as producing a common passion for national independence; and this latter—even if it were admitted to form a remote ideal—would have to be viewed in such dim and doubtful perspective as to banish it from the region of contemporary politics.

\* Proclamation of 1st November, 1858, published in twenty languages.

Even, therefore, if we consent to regard "the Sermon on the Mount" as a useful document, serving as a practical guide for political conduct, we may see that its practice need not tend to engender despair of the permanence of British possessions in the East. For my own part I do not seek to disguise my opinion that these references to the Bible are dangerously out of place in discussing such matters. It was not so long after the promulgation of the Decalogue that the Israelites proceeded to the subjugation of the Promised land, on principles that not only present a strong contrast to those of the Bible in general, but go far beyond the irregularities of Clive and Warren Hastings. That the meek shall inherit the earth is a proposition of ideality that is far from being realized, even in our own milder days; and a vast amount of concession to the desires of some of the races of India for political freedom and equality may be conceived without leading the rulers of that country to turn their cheeks to the smiter.

But, setting these Scriptural references on one side, as mere epigram and rhetorical garnish; is there anything in the history, or present condition, of the Indian peninsula and its populations, to warrant the notion that a strong, humane, and therefore Liberal, government will tend to unite them in a general effort to make themselves independent? I very much fear those who think so have never taken much trouble to apprehend the facts, but have been content with the simpler and easier process of applying analogies without minutely considering whether they are applicable or not.

For, what are the facts? India is so vast and so varied, that only on one occasion during its whole annals do we find any prolonged approach to that general dominion to which, nevertheless, it is the tendency of Oriental countries to become subjected. This, I need hardly say, was in the time of the famous Mughal Empire of which I have spoken in my introductory remarks: an Empire which, in its palmy state, attracted the attention of Englishmen in the days of Queen Elizabeth, and fired the imagination of such an ardent republican as Milton. That Empire, no doubt, fell; its fall being precipitated by Hindu discontent. But this discontent was not manifested when it was liberal, but when it ceased to be so; and it did not lead to independence, as I shall endeavour in a few words to show.

The great conquest of India by the white race of mixed blood, of which I have already made mention, followed on the battle fought between Bábar and the native armies near Panipat, on 21st April, 1526. The Conqueror, in his entertaining *Memoirs*, attributes his victory—under Providence—to the use of artillery protected by fascines, chains, and earthworks, a combination of what was then

modern military science, with the wisdom of his Tartar ancestors. "When I first got to Agra," he records, "there was dislike and "strong hostility between my people and the natives." These feelings remained, and led to the temporary expulsion of the Mughals, who only recovered the country after an absence of thirty years. Akbar ascended the restored throne of his grandfather on the 15th of February, 1556, being then in his thirteenth year. As soon as he was old enough to act for himself he dismissed his Mughal minister; and his earliest warlike exertions were devoted to suppressing the contumacy and curbing the pretensions of the Maghal aristocracy. He then appointed a Hindn Chancellor, and entered upon a deliberate and constant struggle against the preponderance of Islām; pursued and encouraged the study of the laws and religious systems of the Hindus; and opened the public service to the best qualified men, without distinction of creed or colour. The results were most encouraging.

Though a Hindu—the celebrated Todar Mal—held the post which I have ventured to call that of "Chancellor," head of the financial and home departments, Akbar had a confidential adviser of Mussulman extraction—Abul Fazl Allāmi—a man of whom contemporary authority has recorded that, though called "an Atheist," he was "a "man of lofty soul who desired to live at peace with all." Looking back in later life, the Emperor declared that he had, in youth, exerted himself in the vain attempt to make the Hindus apostatize from their religion; but he admitted that he came to learn that his own creed had no advantage. "To be circumcised," he added (much in the spirit of St. Paul), "to patter a *credo*, to grovel on the ground "in superstitious terror, all this avails nothing in the sight of "God:—

"In outward homage worship is not shown  
Looks are but looks, Truth lies in deeds alone!"

A fiscal code was introduced of which details may be found in Elphinstone's *History of India*. A vast number of vexatious items were removed from the budget; the poll-tax, hitherto always levied from Hindus under Mohammadan dominion, was remitted. A Hindu Princess was raised to the rank of Empress, and allowed the use of her ancestral worship in the palace. A *Culturkampf* set in, such as we have seen in modern Europe. In the ruinous palace of Fatehpur Sikri travellers still behold the strangely-contrived building in which disputing polemics (or say "polemical disputants") sat in four galleries, while the Emperor occupied a central seat as moderator. A stone seat is



shown in another part where he used to retire in solitude to muse upon his destiny and dnty under the still and starry sky. Close at hand is the small bed-chamber, et the window of which he used to post himself nt night, while the Pnudit Debi, raised in a basket outside, held forth on the mysteries of Nature worship and Pantheistic synthesis elaborated by the ancient Hindns. Later on, the zeal of reform, as so often happens, ran away with the reformer. Ho became, to some small, bnt still deplorable extent, a persecutor; but wo must not blame him harshly if ho was a son of nge.

What was good survived, what was bad perished. The Hindus and native Muslims continued to hold their own in the pnblc service dnring the reigns of Akhar's son and grandson; and the Hindn population retained their immunity from special taxation. The Mussulman Chnreh, though it was not persecuted, lost its temporal possessions and powers. The nrts prospered, the laws were obeyed. Baron Tavernier, a French traveller, who was in India several times between 1651 and 1669, calls Shahjahan, "that great king, during "whose reign there was such strictness in the civil government—"and particularly for the security of the highways—that there was "never any occasion to pnt any man to denth for robbery." Contrast the condition of Paris and London at the same period.

Under Shah Jahau's son, the crafty usurper Aurangzeb, all this was changed. Islām became the law of the land; the poll-tax on Hindus was restored; war once more became chronic in the wretched peninsula. In his last days Anrangzeh wrote that he "had not been "the guardian or protector of the Empire," and that he was going to give an account to God for his numerous crimes, and could only before going commit to his sons that guardianship of the people in which himself had failed.

How his sons accepted the bequest cannot here be told. Wo have only to noto that they nt once plunged deep in fratricidal contests, from which the one who emerged successful was too weak and weary to carry on his task. Before his death, Rajputs, Sikhs, and Mahrattas were in insurrection in the different quarters of the Empire. In 1719 the throne devolved on a collateral, who took the name of Muhamad Shah, and reigned for the then unusually long period of twenty-eight years. His reign, however, is only noticeable for the constant progress of the three classes of Hindu robels, and for the crnshing invasion of the Persians under Nadir Shah, when one hundred and twenty thousand of the citizens of Delhi were massacred, and property estimated at eighty millions taken nway.

The country was now utterly demoralized. Contemporary observers

have noted that anarchy and egotism were universal. But a new set of intruders were at hand. Beginning in Southern India, where their struggles have been most ably chronicled by the first of Indian historians—Col. Mangleson, c.s.i.—the French and English gradually made all India the battle-field of their rivalries. The preponderance of the English, due to the genius and tenacity of Robert Clive, forced the foreign Europeans into subordinate positions. All were ambitious, most unscrupulously covetous. But liberal principles are the seeds which Europe must carry in her bosom, and which her sons, whether they intend it or not, must scatter wherever they go. Touched by the magic spear of European progress the Mumbo-jumbo thrones of Muslim adventurers went crumbling down.

A last recrudescence took place in 1857, just one hundred years after the battle of Plassey. An undue political significance may no doubt be attached to this movement: as has indeed been done by one of the most readable of modern historians—Mr. Justin McCarthy, “the Lafayette of Home-Rule,” as one has heard him called. Fifty-seven was in no sense a national rising. But of this there can be no doubt: however apparently a military mutiny, fortunately unsuccessful in gaining much sympathy from independent princes, the movement originated in a cabal between the puppet King of Delhi (the descendant of these Mughal Emperors) and the Nana of Cawnpore, the soi-disant Peshwa of the Mahrattas.

The rebellion was quenched; the old Bengal Army disappeared; the chiefs who had remained true received rewards, among others the power of adopting heirs; the Court of Directors were stripped of the last shred of power, and the control of India brought under a Parliamentary minister, untrammelled save by the Assessorship of a Council of Experts. The *Pax Britannica* spread over the land. But it would be a mistake to suppose that this was the period of the first introduction of liberal principles into British India. In 1833, when the Company's charter was renewed for the last time but one, there was—as we all know—a great prevalence of those principles all over the world. A constitutional monarchy had arisen in France, parliamentary representation had been popularized in England. Lord W. Bentinck was Governor-General, with Macaulay for his chief adviser. The first Act of the Indian Legislature was passed in 1834, and the great Penal Code was put in preparation soon after. *Sati* widow-burning was put down and a general return to the system of Akbar admired.

Such having been the past of India (however cursorily summed up) we have now to consider how far education, legislation, and

progressive amendments in fiscal and administrative respects, are calculated to unsaddle the mind of the native, and debase him from his allegiance. Education may be of course regarded in two main aspects or characters. First and foremost comes primary instruction, which is commonly held to form one of the essential duties of a modern government; that instruction, namely, which allows and assists the ordinary villager or town-operative to understand the ordinary problems of human life in its simplest civilized form, and to bring the necessary amount of intelligence to bear upon his humble but useful duties. Thus viewed, education for India is much the same that it is elsewhere. Alderman Curtis with his "three R's," a modicum of book-keeping, mensuration, and the like; these are among the common rudimentary requirements of the mass in all civilized countries, and nowhere create political discontent. The danger of society is (and always has been) the overwhelming of civilization by barbarous waves of want poured over the fields and towns, not by knowledge, but by blind instinctive force. But the other kind of Indian education is somewhat special to the land. It consists in the endeavour of a sovereign race to impart to its subjects something of that culture which is the product of its own better evolution. Some things of our own we shall, if we are wise, not desire to impart to India; but there is much that is worthy of being thrown open to these natives who have time and means conformable. And this is, for the most part, what is being done. By means of Universities, now in course of a closer welding with local schools, the British rulers of India have for more than twenty years been seeking to introduce among the studious natives a relish for science, history, and sound literature. Some of the effects have been welcome; and it is here that we may find (if anywhere) the grounds of Mr. Bright's apprehension. The adolescence of the class that may be called "young India" is not free from that "insolence" which Aristotle long ago pronounced to be a characteristic of intelligent youth. India is not the only country in which "Brutus" and "Publicola" have loved to display their newly-acquired learning and good language; and these displays naturally attract more attention than they deserve. But here again comes in the inexhaustible lesson of history. Brutus and Publicola grow up and have families. Driven to the need of occupation they learn to apply their acquirements to conduct. They become clerks in public offices, bankers, land-agents; and—if their education has not been wholly misapplied—they learn to see things as they are. They observe that the strength of India does not lie in public meetings or in the eloquence of educated *Bábús*, but in the

valour of Rajpnts and Sikhs, in the kindly relations between Zemindars and Ryots, perhaps in the half-stifed cupidity of other races. They know that the removal of the British "Ráj" would be the beginning of confusion, bloodshed, plnnder and anarchy, in which those who were rich, civilized, and cntured would be the first victims. And thns they are led to acknowledge that, of all classes and races in India, there is none that can have so mnch reason to wish well to the paramount power as their own.

So far we have gone without mnch difficulty, but we are approaching debatable ground. I am not going to invite you to accompany me to any extremities, hnt there may be offence in moderation. Let us hope for better things!

I would, at nll hazards, at once admit that liberal principles may be introdnced into a backward state of society too rapidly, with too warm a faith in the mechanical action of institutions, and in too crude a form. To give Mr. Bright Scripture for Scripture, "No "man putteth new wine into old bottles," or, if such attempts be made, they may well lead to disaster. Yet it may be that the disaster would be confned to the attempt itself, and not extend to the well-meaning though ill-judging reformers, by whom the attempt was mado. For, although laws and rules of government that are not called for by facts may be expected to fail, it will primarily be simply by becoming inoperative. No great mischief will follow where the ruling power continnes resolute and has not parted with its resources. Louis XVI was dragged down by the principles of Eighty-nine; bat no misfortune attended the liberalizing tendencies of his contemporary sovereigns, unsuccessful though they may have been.

It has been already stated that great and organic reform was set on foot in India soon after the granting of the Charter of 1833. The process has gone on without interruption ever since; and has been attended with almost uninterruptd success. Akbar tried in vain to restrain the Hindus from burning widows alive. Bentinck pnt down the practice, so that it is now never dreamed of; and an Act permitting the remarriage of Hindu widows stands on the Statnte Book, by no means a dead letter. India has what I suppose is the best code of Penal Law in the world; and many chapters of the Civil Law have been similarly consolidated, with excellent general results, by Macanlay and the eminent jurists by whom he has been succeeded. The Civil courts of first instance are entirely manned by native judges, who sit without juries, and have unlimited jnrisdiction without distinction of creed or colour. I have myself seen a native jndgo hear an action for defamation brought against a noble lord in high

position by another Englishman; and so satisfied were both plaintiff and defendant with the impartiality and general justice of the Court, that neither exercised his right of appeal though one had to pay costs, and the other failed to obtain the damages that he claimed. More than this, a native judge has, or had till lately, a seat on the bench of every one of the four High Courts constituted in the various Provinces, which hear causes criminal and civil with scarcely any appellate control at all. I speak with reserve, Mr. Mahmud having been temporarily displaced at Allahabad on grounds of official expediency. It is understood that he will have the first vacant seat.

On the other hand, it is my humble but decided opinion that the Bill now exciting objection of which an echo has reached our own shores, is so far open to objection that, however defensible on logical grounds, it was, for the present, uncalled for, and introduced without due consideration for the feelings of the British denizens of India. It is said that we must contemplate a time when a number of functionaries in India will be natives. I grant it fully, and so no doubt would the noble Earl who lately made so calm and statesmanlike a speech against the Bill in the House of Lords. No man knows better than Lord Lytton that this is the direction to which matters are leading, no one, I may add, has given more liberal or effectual aid to the movement. But the movement will be slow, and it will be time enough to make Englishmen subject to native judges when the paucity of English judges renders the present state of things inconvenient. As to "anomaly," I would have the word cashiered from Indian public service. You cannot live there without anomaly; your very presence as rulers in India is an anomaly of the greatest magnitude. The whole situation is full of anomalies: but government is not a decorative art. It is practical; and unless an anomaly thwarts useful practice, governments would be wise to take no notice of it. And this leads to the second objection. Not only was the Bill premature, it was also introduced awkwardly, and without sympathy, and the manner of its introduction has set on foot class-hatred—that worst foe to social progress. There are those who think that consideration is not due to men who repair to a country like India merely for purposes of their own sole gain. And certainly there are such men, living in States governed by native rulers, who must be subject to native laws and judges, and of whose grievances we hear little or nothing. Whether the planters and other private settlers who reside in British India are of so much use to the country as to deserve special conciliation, may be an open question, though I do not feel much

doubt about it myself. But what of the *employés* of Government, the civil engineers and telegraphists, the foresters, the railway servants, who are now so numerous?

What, above all, of those gallant, obedient, soldiers and military officers who go out simply because they are ordered, and have no personal objects whatever in the country? These are British citizens, supposed to be born with a right to trial by their peers. Surely, it would have been a graceful act to tell them that, if administrative convenience required them to be occasionally liable to be tried in Courts presided over by native Judges, they should have at least the right to claim the protection of a jury, of which not less than half should be men of their own creed and colour. If the *venue* lay in a place where there was no sufficiency of such material for a jury, travelling now-a-days is neither very difficult or very expensive. And very likely the mere knowledge that such a right had been reserved would have assuaged susceptibility; and the British subject would, as often as not, acquiesce in the Court's impartiality and waive his right. But the smallest deference to susceptibility might have been shown. Some native papers have denounced the proposed measure on the ground that a native judge will always favour the European. I think he would be glad to get rid of the duty altogether.

By the last news from India it would seem that some concession is contemplated. But nothing can atone for the past; nothing can obliterate the wild words that have been sent forth on either side, even if time should heal the wounds that have been inflicted, and restore the broken trust and lost affection that the mistake has caused. I, for one, hope that this may be so, and that the Bill, having gone so far, will pass into law with due modification.

The other great liberal step has been already taken; but it is, I presume, subject to such criticism and such change as may seem proper in watching its operation. I am sure that, as the Judicature Bill, wrongly named after Mr. Herbert, was logically right, so, as a principle, local self-government is desirable on all grounds. It is one to which the people have always been accustomed, and it is flattering to their feelings, as well as beneficial to their interests, that it should be extended as much as possible. At the same time it is to be borne in mind—and this in regard to the judicial question too—that ignorant persons, sensible of much helplessness, prefer to have a presiding power of the most impartial character as ultimate referee. I have hinted my belief that most native magistrates would prefer not to try an English defendant. In any case, however popular the idea of a native magistracy may be in the larger towns, I do not believe that

the people of the country generally prefer them to officers of British blood. Indeed, the educated native of Bengal would be a foreigner to the peasantry of the Panjab, and so of the rest. The supposed importance of office being held by natives (from a political point of view) is at best a matter of discussion, and not to be settled by considerations of "symmetry." Moreover, to dislodge the District Officer from the presidency of local boards is not the way to foster liberal principles, but rather to discourage them. For the present, as in the past, there is no worse channel for liberal principles than a body of unpaid, and therefore presumably interested parishioners acting without control; and the control of an educated foreigner, whose only interest is that he should attain reputation by the welfare of the District committed to his charge, affords the truest guarantee that liberal principles, as they have been here defined, shall characterize the administration of affairs.

To sum up in a few words. There is much in the present condition of British India that is both creditable and hopeful, though much yet remains to be done. However the Empire was won, it is our office to preserve it. And it will be best preserved by providing for the social wants with intelligent sympathy and resolute mildness; by showing the people that they have in the Viceroy and his subordinates a power that is not only sensitive and benevolent, but also strong, maintaining peace and goodwill among honest men of whatever tongue, creed or colour.

The noble CHAIRMAN said he must confess that he was at first under the difficulty which Mr. Keene anticipated some of us would be with regard to the title of this paper. The phrase "Liberal principles in India" opens up a very large subject, and one that might lead us into the discussion of first principles. He did not think it is one of Mr. Keene's objects that they should enter into a discussion as to the Imperial Akbar and his minister, Abul Fazl, and therefore he would confine his remarks to that which is at this moment the most interesting of questions, and with which a great part of this paper deals,—the Criminal Procedure Amendment Bill; and he would ask them (and he had Mr. Keene's consent for doing so) to confine their remarks to that, because if they were to go into the question either of the Local Government Bill or the Rent Bill, they would have one speaker addressing himself to one topic and another to a totally different one. Mr. Keene's paper was a very valuable addition to the discussions which had already taken place on the Indian Criminal Procedure Bill, for the author of the paper

spoke with the experience of a judge, and whilst he supported the Bill, his arguments were calculated to allay the irritation and the groundless alarm of the English settlers in India,—an alarm chiefly due to the exaggeration with which the question had been discussed. The exaggeration in India was apparently due to the fears of the indigo planters and perhaps the tea planters (in whose favour a Coolie Bill had been passed which has been much objected to in this country), since the chief outcry against Lord Ripon's Bill had come from Bengal. With regard to the opposition which the Bill had met with in this country, it might be fairly said that we should have heard nothing of it if we had a Conservative or Whig Prime Minister in power, and that the general perturbation of men's minds with regard to the safety of all our institutions had caused men to look with greater jealousy and suspicion at any changes, however small. The measure it has been said would, if at present carried out, only affect the status of two native Indian judicial officers, and on that account the author of the paper might fairly say that the change was premature, and need not have been made until the appointment of a greater number of Indian magistrates made it necessary. To this it might be replied, on behalf of the Indian Government, that it was easier to make the change now, when it would have such a limited effect in practice and when it would be easier to watch the effect of the measure, rather than later, when, if a larger number of magistrates were to receive the extended jurisdiction, the sentimental grievance would be greater than it is now. (Hear, hear.) The real motive and cause of this Bill is the financial necessity of introducing more natives of India into the Civil Service (hear, hear), and that the judicial branch of it is that for which they are most fitted. Only ten days ago, Mr. Stanhope, the ex-Under Secretary of State for India, was pressing a resolution imposing greater economy on the Indian Government; and the Under Secretary, Mr. J. K. Cross, whilst asking for more time, and speaking of the great drain from India caused by the Home Charges and Pensions, stated that the only remedy for this was the employment of more natives of India whose pensions would be spent in India. (Hear, hear.) He did not believe that the evils of this financial drain from India had ever been so clearly stated by any member of the Government as they were on that occasion by Mr. Cross. (Hear, hear.) It was extraordinary how constant was the evidence produced on the subject, and how uniform the opinion of those who knew India best. This morning quite incidentally, looking through a book by a Colonel Robertson called "Indo-Scot," he lighted on the following passage:—



"It is said that natives like show, but you may rely upon it that, on your part, they like economy better. Avoid irritating them by useless officials remitting large savings to Europe. . . . The British Empire will lose nothing should there be fewer European gentlemen amongst the official classes. The world is wide, and if they want to come to India, if they are steady, in all probability, as merchants or planters, they will make more money." And on another page,— "And in order to defer the homage of India to Russia, resolve to allow natives to administer their own affairs, gradually permitting the present system of government to glide into a protectorate."\* In consequence of the exaggeration with which this question had been treated, people lost sight of the fact,—and the latest writer on the subject, an "Indian judge," in *The Morning Post* of the 12th inst., lost sight of the fact,—that the native magistrates would still only give sentences of a year's imprisonment, and that neither they nor the subordinate English magistrates would try capital charges. (Hear, hear.) He could not help thinking that the English in India who had taken fright at the proposed measure, were rather illogical and were not making sufficient demands. They ought to ask to be sent home to London to be tried (hear, hear), for they certainly ran more risks if tried by some of the English judicial officers, who had had no legal training, than they would if tried before a native judicial officer who, on the hypothesis of the Bill, would only be appointed after legal training and a certain amount of judicial experience and probation. (Hear, hear.) Even the High Courts of the Presidency Towns were so unequal to English Courts that an Englishman might regret falling under their jurisdiction. What happened some years ago at Calcutta? A Bengali play, *Nil Darpan*, appeared. Its author was not prosecuted; but Mr. Long, a missionary, was prosecuted for translating it, and the judge, in his charge, misdirected the jury, and said the play impugned the virtue of the women of the great middle class of England. It did no such thing;—there was only an imputation of a magistrate being under undue influence from his acquaintance with the Indigo planter's family. But Mr. Long was sentenced to a month's imprisonment. (Hear, hear.) [Quite recently the Governor of Bombay in Council, sitting on appeal, enhanced a sentence beyond the maximum penalty assigned by the criminal code for the offence. The Supreme Government intervened, and the enhancement was cancelled by the Bombay

\* The evil of a similar drain had early been noticed in Mexico, and the old Spanish Colonial laws contained injunctions or encouragement to Spaniards to devote money for charitable purposes in Mexico rather than in their mother-country.

Government last January; but it did not appear that any English newspaper had taken up the matter or cried out against the error which had been committed. (Hear, hear.) He thought the practical effects of the Bill would be very limited; but should they be as extensive as the opponents of the Bill assumed, it would have the beneficial effect of directing public attention in a greater degree to the administration of justice and its purification. (Hear, hear.) It would sharpen the attention with which Chief Commissioners would revise the judicial proceedings of their subordinates. They were not all so sharp and attentive to their duties, as one friend of his who told him the following case:—"A" was accused of stealing a cow. In the course of the proceedings, "B," a witness, was sentenced to imprisonment for stealing a horse. This Chief Commissioner called upon the Judicial Officer to explain what had been decided as to "A," and also at what time and how the witness "B" had been accused. The Judicial Officer found it easier to send in his resignation than to explain. Another strong argument against the Bill is the frequency of systematic false witness and false charges in India. (Hear, hear.) He (the Chairman) thought that a native Indian magistrate would be more likely to detect and frustrate such attempts than an Englishman. (Hear, hear.) At any rate, English magistrates had not always been able to detect imposture even when detection was easy, as in the following case which had been communicated to him:—"In 1866 it was suddenly discovered at Indore that two informers belonging to the Thuggee Department,—upon whose evidence dozens or scores of persons had been hanged as Thugs,—were sham informers. They had nearly reached starving point during a season of drought and presented themselves to the Thuggee official as notable strangers who could inform against many of their former companions if their lives were spared; and they were allowed quarters in gaol and police protection. So they were well housed and cared for; and whenever they took strolls abroad with their escort they were certain to "spot" an accomplice. They did this for fear they should be looked upon as impostors. However, they were bowled out in the case of a man who sufficiently overcame his nervousness to speak before the *Sahib* to say that at the time they mentioned, he was undergoing sentence in the Agra gaol for another offence. (Laughter.) These men confessed then that they had only sworn that they had been Thugs in order to escape from starvation and live in comfort. (Laughter.) "This affair was hushed up." (Hear, hear.) The English magistrate in this case was to blame for not having examined the bodies and verified the statements of the informers, as used to be done by Col.

Meadows Taylor. Those who oppose the Bill say that Menro and other pillars of the East India Company would not have sanctioned such a Bill. They also say that, because an Englishman is tried by his own Consul in Turkey, China, and Japan, he ought in India to be tried only by an Englishman. Now those who urge the first argument forget that in Menro's time the planter element was entirely absent from India. Europeans were not allowed to settle or to roam about India, and a great cause of friction was avoided. It is said that these men bring much capital into India; it is rather more true that they take capital out of it. (Hear, hear.) As the author of the paper observes with regard to indigo, it is a doubtful matter. Indigo is a most exhausting crop, and at the time of the Indigo Commission, by a system of advances, the planters regulated the price paid for indigo to the peasants, and restricted the amount of land used for raising their food. To this day the Dutch do not allow any Europeans to move about the greater part of Java except with special leave. But the argument based on the analogy of Extra-Territorial Jurisdiction in other countries of Asia is still more faulty; because those privileges to Europeans were not granted on account of the incapacity of the Judges of those countries, but on account of the difference between the laws and penalties of Europe and Asia. (Hear, hear.) But under the Bill it is English law that is to be administered by persons asserted by the Government to be duly qualified to administer it. The "Indian Judge" of *The Morning Post* points out that under the Indian Penal Code a breach of the Seventh Commandment is a criminal offence. This, it is true, is not the law of England; but, nevertheless, it is English law, since the Indian Code is the work of Sir James Stephen; and, if Mr. Hurdus Pritchard was correct in saying that the authors of that Code seemed to have thought that whoever invented a new crime deserved well of humanity (laughter); and if that Code is too Draconian, then the surest way to get it amended will be to bring Europeans under it. If it is too severe and harsh for Europeans, it must be the same for the Indians. (Hear, hear.) In this matter, however, the Indian Code is in accordance with the Penal Code of France. Lastly, it should be borne in mind that the proposed extension of the jurisdiction of native magistrates was not sought for by these magistrates or by the Indian population. (Hear, hear.) It is a measure which originated with the Indian Government, and which had been in contemplation long before Lord Ripon proceeded to India—indeed, as was stated lately in the House of Lords by the Secretary of State, as long ago as in Lord Canning's Vicereignty. (Hear, hear.) The noble Chairman concluded by

saying:—"It is" very necessary that we in England, whom it is not "proposed shall be judged by any of these magistrates not yet "appointed, should be calm in our discussion of this matter. I have "endeavoured to be moderate in the remarks I have made, but no "man is the best judge of his own moderation, and therefore I can "only say that if any gentleman here who takes the opposite side "thinks I have been not sufficiently moderate, I must ask him, as the "parson in the story, to follow what I preach and not what I have "practised."

Mr. R. H. WALLACE DUNLOP (c.b.) (late of H.M. Bengal Civil Service) said,—My lord, ladies, and gentlemen: I may mention as an apology for addressing you that I have served the Indian Government for twenty-two years in what is called the covenanted Civil Service of Bengal, and also that I held the District of Meerut during the Mutiny. And I think it is the duty of even a retired officer to come forward when he finds a question of vital importance, which is being by unfortunate violence of language raised into a positively burning question. I think it my duty to speak because I am sorry to say I find that the opinions I hold are not in sympathy with the vast majority of my countrymen in India. I think the East India Association is doing good work if it brings our countrymen at home to look with a less prejudiced view at this question than do their countrymen in India. I think also that the Association is fortunate in having a gentleman of the long experience and the judicial and calm judgment of Mr. Keene to do what he can, by reciting what he has himself seen and learnt in India, to induce Englishmen to deal with this matter in the temperate manner which its importance deserves. Mr. Keene has gone at some length into the historical antecedents of the country, and I think he has proved to us satisfactorily that there, as in every other country, whenever what he calls Liberalism has been the policy of the government, the country has enjoyed prosperity. Of course, as he very properly says, when I speak of Liberalism I make no allusion to party politics, but I speak of common justice to all, equality before the law, or the removal of all special class rights and privileges. He has also pointed out very appropriately that in India it is not a single race that we have to deal with, and who may be our antagonists. It is not a question between ourselves and a single tribe, or a single tongue, but we have to deal with a continent which consists of at least twenty different nations, tribes, and tongues. And, after all, we must remember

that it is not we hy ourselves who have conquered India. I have heard people say, "We won India by the sword, and we shall defend it by the sword." But we did not win India by our own sword alone. I have only recently read "The decisive battles of India," and that book shows as clearly as possible that whenever we have had operations to carry out in India, swords as loyal and as trusty as our own have been joined with ours. In some of the greatest and boldest of our operations in India, we have had other nations to fight with us. And in the last great Mutiny did we recover the country with our own swords—had we not native soldiers fighting in the same ranks with our troops, and doing as gallantly and as loyally as our own men? (Choers.) In the Queen's proclamation after the Mutiny—the Indian Magna Charta, as the natives now consider it—many promises were made, and it seems to me that it is only by carrying out those promises, and doing what we can to create some amount of sympathy between the governed and the governors, that we shall be able to hold our own in case of attack from without. In the event of any great enemy from the north coming to the east to destroy our preponderance and empire there, there is but one single power that can avail to help us, and that is the strong sense of our Indian subjects of our passionate desire to do what is right for those whom we govern. Now it appears to me that there is much more of prejudice than of dispassionate judgment in the unlimited abuse which is given to this measure. The other day, knowing that this question was likely to come forward for discussion, I asked one or two of my old fellow officers, who were, I am sorry to say, speaking in no measured language of the Criminal Procedure Amendment Bill, whether they had read the Bill, or whether they knew what the change was that it would effect in the position of our countrymen in India, and their answer was, "Confound the thing, no, and we never intend to." (Laughter.) Now of course, men who treat this subject in that way may be guided by very "noble instincts" and "wholesome prejudices," but still they are prejudiced, and it is no use attempting to reason with them. But we can yet address the large body of our fellow-countrymen who have no prejudices in the matter, although I am afraid we cannot convert all those now in India. I feel sure that the progress of time will carry this Bill through long before many of our countrymen out in India are converted to its favour; but all we can do is to create in favour of the Bill, a steady and dispassionate public opinion in this country, which will operate effectually with our people in India. I feel myself that if we, after our long possession

of India, have not given to the natives some of our own sense of honour, then we have disgracefully mismanaged our trust. (Hear, hear.) I would ask those who talk so glibly about elevating and educating the natives, are there none of nature's nobility in India already? In a late number of *The Army and Navy Magazine* there is an article, written by one of the most eminent literary men who ever devoted his pen to the Indian service, entitled "Without fear and without reproach;" it is the life history of one Hidāyut Alli Khan. I confess that after reading that article I was obliged to ask myself, "Can I flatter myself that I personally approach within any measurable distance of the natural nobility, the greatness, the manliness of Hidāyut Khan?" And it would be well if many of these gentlemen who talk patronizingly of "the native" would read that article, and ask themselves a similar question. (Hear, hear.) I am convinced that sooner or later this Bill must be passed, and in passing it we shall be honouring ourselves quite as much as the Indians. It is a pity that this matter should have been made into a sort of bugbear. The whole thing is so trivial that when reading the Bill the other day I felt surprised that such a small thing could produce such a storm, and it convinced me of the truth of the remark I once heard, that a bugbear is something which, the more nearly you approach it, and the more closely you examine it, the more is it found to partake of the nature of the bng, and less of that of the bear. (Laughter.)

Colonel MALLESON (C.S.I.).—My lord, ladies, and gentlemen: I think that this question has been argued up to the present moment on a very unfair and a very illogical basis. I quite agree with all that was said by Mr. Keene with regard to the introduction of liberal principles into India, because I cannot forget that the greatest of our Viceroys, those whose policy has been most liberal, have been Tories. Therefore I quite agree that, as Mr. Keene put it, when we talk of liberal principles to-night, we mean the word to be spelt with a small "l." I do not think, my lord, that the time Mr. Keene devoted to the illustration of the government of the greatest of the Mughals was at all thrown away, because I recollect that a most illustrious Viceroy of India, the late Lord Ellenborough, wrote to me shortly after he had left India, that it had been his greatest ambition to govern India upon the principles of Akbar. But in my opinion there is a very material difference between governing India upon liberal principles according to that sense, and governing India upon so-called liberal principles, those principles which destroy liberty, which foster anarchy, and

which renounce empire! I was quite surprised to hear so able and distinguished a gentleman as Mr. Dunlop call this new Indian legislation a very small measure. Why, is it a small measure under which your wives and daughters—"Oh, oh." Possibly the gentlemen from whom those sounds emanate find they have no other way of illustrating their dissent; but I think the noble Chairman would give them the right of replying to me. (Hear, hear.) It must surely be, I say, a very great measure—a measure of very vast importance—which has made every class of our fellow-countrymen throughout India discontented; and not only discontented, but furious in their discontent, which has made some of the most able officials in India—that official class which has not always been connected in sympathy with the commercial class—rise up and denounce by private letters, and even in the public prints, this measure as one calculated to increase and further excite the bitterness existing between the two great branches of the Aryan race. I quite agree with Mr. Dunlop when he says that every measure which we introduce into India ought to have for its object the placing of the two classes—the Europeans and the natives—on terms of practical equality. That ought to be the end and aim of every Governor and every government throughout India. But I ask you, is that principle infringed because we say that one or two hundred miles away from any Presidency town our wives, and sisters, and daughters shall not be tried by native magistrates, and be made liable to a sentence of one year's imprisonment? Is one year's imprisonment such a light thing to those who, in a country like India, live very often away from the high road, very far out of the way of any European society except that of the house in which they reside, and unable, perhaps, from the paucity of their funds, to find their way to one of the great centres of civilization in India? My lord, I cannot think that you were serious when you said that you believed that Europeans would often prefer to be tried in England than in India. It is a fact that Europeans have never objected to be tried by their own countrymen in India; they have never objected to be tried by the native magistrates of India in the Presidency towns. One of the most successful magistrates in Calcutta was a friend of mine, Synd Amir Ali, and how did he legislate? He legislated under the eye of the Government of India, and with newspapers able to report the smallest case of misdemeanour that might come before him. I believe he was too high-minded a man to be affected by that or any other circumstance; but still that was a moral safeguard which prevented him, and which would have

prevented any other man from doing that which he ought not to do when exercising in high office. The failures of justice by English courts cited were but few and far between; and here I must say, my lord, that I heard with great regret the remarks which you made upon the prosecution of the *Nil Darpan*. It happened I was in India when the prosecution took place. My friend, Mr. Long, who was the victim, is here, and I am bound to admit that he was the victim of the great prejudice that existed on that occasion. But what were the facts of the case? The *Nil Darpan* was not brought into the Supreme Court, because it had been translated, or because Mr. Long had translated it; but it was brought into Court because the Secretary to the Government of Bengal circulated that translation, with the Seal of the Official Office, broadcast over India, at a time of very great excitement. Your lordship must recollect that the *Nil Darpan* was published very soon after the Mutiny had been quelled, and therefore it was published at a time when, in consequence of the reformation which was being made in the agricultural laws of India, especially those relating to the cultivation of indigo, very great excitement, and a very bad feeling prevailed between the indigo planters and the natives of India. And, of course, for the Government of Bengal, which ought to have remained above the passions of the hour, to have circulated at such a crisis such a pamphlet, was a crime, and was acknowledged to be a crime by the Government of India, because it dismissed from office the officer who had circulated it. (Hear, hear.) I hope, my lord, I have not trespassed upon the licence given to every speaker. If I have spoken strongly upon this subject, it is because I feel strongly. The supporters of this measure are insisting upon introducing it against the wishes of the whole of the European population of India—(No, no)—well, of enormously the majority, at all events, and, what is more, against the wishes of the forty millions of Mohammedans in India. [The RAJAH RAMPAL SINGH: No, no.] A great number of them assembled at Lahore, and petitioned the Government against the introduction of this Bill; and I contend that in introducing this Bill against the wishes of the Europeans and the Mohammedans, and of certainly a considerable portion of the Hindoo population—[The RAJAH RAMPAL SINGH: No, no]—you are introducing a measure which will embitter for a long time to come those relations which ought always to exist between the Europeans and the natives in India. (Hear, hear.)

Mr. ROBERT CUST (late Judicial Commissioner of the Punjab, and Member of the Legislative Council of British India): My lord,



ladies, and gentlemen,—I am very glad, indeed, to follow my dear friend, Colonel Malleson, in this discussion, and to take decidedly the contrary view to that which he has taken. I have been for twenty-five years in the north of India amongst the people, and I should be ashamed of myself if I did not to the last day of my life speak up for the people of India. (Hear, hear.) We are in duty bound to give them the best laws that human ingenuity can devise, and the best judges we can supply, and to place them, and all the subjects of Her Majesty, without reference to nation, language, or colour, under the same laws, administered in the same Courts. You may put off this measure this year or next year, but you may be quite sure that in the course of, say, five years at the most, you will see it become law. I can just remember the introduction of the famous "Black Acts," when it was thought quite wicked to make an Englishman amenable to the ordinary Civil Courts, to be tried by the Munsiffs. There was a row in Calcutta (and, by the way, it is always in the Presidency towns that these caste distinctions are advocated most strenuously) and it was considered a shocking thing that an Englishman should have to plead before a native. We have lived down that prejudice, and the Courts of First Instance all over the country are presided over by natives of India, and well presided over too. I can recollect a few years ago, when I was in the Legislative Council of India, it was proposed to abolish the Grand Jury system. Immediately the cry was raised by our friends in the Presidency towns, "Do away with the Grand Jury—the palladium of "English liberty!" There was a meeting in the Town Hall at Calcutta, with a Scotchman in the chair. I remember how amused I was when he was asked whether there was any Grand Jury in Scotland. It had never occurred to him that they manage to get on very well in Scotland without Grand Juries. My friend, Colonel Malleson, raised the "wives and daughters" question. I ask, is the objection to passing this law for the benefit of all Europeans, or only for European British subjects? What is to become of the Germans, the Americans, the French, out in India? I have dear friends among the Americans—the missionaries—and dear friends amongst the Germans. Are their "wives and daughters" to run the terrible risks described by Colonel Malleson, which our wives and daughters are not to run? Really, my lord, this seems to me a most extraordinary hubbub. (Hear, hear.) Then, again, setting aside the Europeans, what is to become of the Armenians? They are gentlemen of like culture and education and habits as our own, almost of European extraction; certainly not of Indian. Then we come to the

gentlemen of half-blood—half Indian and half English, brought up among ourselves, dining with us, living with us—and they are all to be left exposed to this danger, this terrible danger, this terrible oppression, from which we pure English-born British subjects are to try and exempt ourselves. Then come the natives of India—the Rajahs, the Manufacturers, the Landowners, the Merchants, and the rest of the great people of India—are they not to be thought of? Are these to be exposed to this terrible risk of native judges, who can put them in prison for a whole year, and insult their wives and daughters? Are we to stand by and let them suffer that which we have taken good care to protect ourselves from? Why, my lord, I never heard such an extraordinary, such a selfish, policy advocated. (Hear, hear.) Depend upon it, the only righteous way, and the only really safe way, for us to treat the people of India is—the best laws possible, the best judges possible, and absolute equality for all. I will give you an instance which I think will exactly illustrate this point. I was travelling in Algeria last October in company with a native of France. There they have native courts and native judges. Just imagine my feelings if I had been taken up in some distant town on some imaginary charge before the Kazi, and been obliged to submit to his jurisdiction, whilst my French friend had the power to say, “Oh, I will not be tried by a native judge; he is quite fit to try an Englishman, but I will be tried at Algiers or Paris.” (Hear, hear.) Similar injustice must result in India if this measure is not passed. What we should endeavour to do in India is to make our native fellow-subjects worthy of their connection with us; give them like privileges. I do not ask you to give them political privileges, and that sort of thing; they are not ready for them yet; but give them similar social privileges; let there be no class differences. (Hear, hear.) I trust my countrymen will think over this measure, and, depend upon it, its opponents will have to give in, whether they like it or not. (Cheers.)

The RAJAH RAMPAL SINGH said he had listened with great interest and pleasure to the arguments on both sides, and had time permitted he would have been glad to enter fully into the arguments used by some of the speakers, as well as by Mr. Keene. The learned lecturer had, it must be admitted, very cleverly diagnosed the state of India, and has deduced from the history of the past some important and significant lessons for the conduct of government in the future. It had been the constant iteration of speakers on the relationship of England with India, that the aim of the power was to teach the

people of her great dependency how eventually to become their own rulers. But, surely, this small measure—the Criminal Jurisdiction Bill—upon which so much inexplicable and ignoble controversy had arisen, was not an instalment in this direction, but that which all reasonable and foreseeing Englishmen regard as inevitable and just. He must be permitted to say that the speakers who had addressed the meeting in denunciation of this Bill seemed, all of them, to be under the influence of interested motives; and, anyhow, their remarkable warmth was difficult to understand. For what was there revolutionary or novel in the Criminal Jurisdiction Bill? Those who knew the truth knew that the measure was merely a continuance of the schemes promulgated and advocated under Lord Lytton's régime, and even by his Lordship's predecessors in the Viceroyalty of India. It was conceded that equality was a just claim on the part of the natives of India qualified to assist in the government of the country; and the Criminal Jurisdiction Bill was designed to remove a disqualification from the native gentlemen in the Civil Service, a testimony of the Imperial confidence and respect to which there could scarcely be found anyone to deny they were amply entitled. To those who speciously argued that the introduction of the measure was ill-timed, he would say that the exact contrary was the case; for it must be obvious that the longer the concession was postponed, the greater the number of native Civil servants who would be ready to avail themselves of it. Each succeeding year must make the change more marked, and therefore more difficult. (Hear, hear.) Nor was there any validity in the objection that the measure was sprung suddenly upon the Europeans in India. It had long been in the air, and, for instance, in 1872 the best members of the Vice-regal Council were in favour of such a measure. Time would not permit him to enter *seriatim* into the objections offered by distinguished speakers, but as Colonel Malleson's point about the English ladies' danger of being brought before native Indian magistrates had evidently told upon some of his listeners, he (the Rajah Rampal Singh) might be allowed to say that he, too, would be sorry to see English ladies—or for that matter any ladies—brought into an Indian court. (Hear, hear.) But while it would distress him to see ladies of his own family in a court of justice, he must add that he was quite sure that a native Indian judge would treat English ladies with the same respect as if they were ladies of his own race. (Hear, hear.) It would really seem that some of the opponents of the measure had persuaded themselves that native judges sought the concession as a means of wreaking vengeance upon the English race. A suspicion so shameful

needed no other answer than a reference to the records of those courts of law in the British Indian Empire in which native judges have officiated. As to the assertion that it was notorious also that no native judge wished to hear European cases at all, for they necessarily gave rise to much anxiety and care in the peculiar circumstances of the case, it was not true; because from the commencement of English rule, Indian judges of the civil courts have exercised their functions indiscriminately to Europeans and Indians. Why should they not be equally capable of administering criminal law? But the plea of absence of desire to hear cases of this kind is no argument for debarring native gentlemen from the legal power to do so. (Hear, hear.) As for Colonel Malleson's assertion that the Criminal Jurisdiction Bill is opposed by the sixty millions of Indian Mussulmans, he must deny it *in toto*, and the meeting would have seen that representative Mahomedans had also contradicted Colonel Malleson at the time he was speaking. Colonel Malleson had even ventured to assert that the Hindu population cared nothing for the measure; and this also he must emphatically deny. In conclusion, the Rajah Rampal Singh expressed an earnest wish that the Bill would pass into law, and hasten the day when the Indian and the British peoples, placed on a perfect equality, would labour cordially for the common good. In any case, the measure was an everlasting honour to the name of Lord Ripon.

Mr. ROPER LETHBRIDGE, C.I.E., said:—I came to this meeting this afternoon resolved to take no part in a discussion that seemed to me likely to prove a dangerous and irritating one under present circumstances; for, though the subject of "Liberal principles in India," so ably and moderately treated by my friend Mr. Keene, is one of particular interest and importance just now, there is, at the same time, a sharp divergence of opinion as to the way in which those opinions should be applied in our Eastern empire. I am led, however, to break my resolve, because it seems to me that the discussion has taken a turn that is not only dangerous, but actually misleading. The noble Chairman has requested the meeting to confine its attention to the most irritating point of the whole subject, a point very lightly and delicately touched on by Mr. Keene; and, if I may be permitted to say so, the noble lord's remarks seem to have led us off into considerations that are altogether irrelevant. If our object should be to show the European community in India that they may without distrust submit to have their wives and daughters tried by native magistrates, I do not see how that object is advanced by

anecdotes of absurd mistakes made by Anglo-Indian magistrates, such as that wherein one man was convicted of stealing a cow because another man had been proved to have stolen a horse. I do not think that such anecdotes are calculated to persuade Anglo-Indians that they will be as safe under the criminal jurisdiction of native magistrates as under that of their own countrymen. My lord, it seems to me that the only right point of view from which we of this Association can regard this question of criminal jurisdiction is that of free and absolute toleration and impartiality. I think we, Englishmen and Indians alike, should encourage each other to feel and show the utmost respect and toleration for each other's feelings and sentiments, and even for each other's prejudices, where those prejudices are not harmful to the common weal. There are in India a large number of different communities—Hindoos, Mohammedans, Christians, and others—differing in race, or in religion, or in both—differing in habits and customs and modes of thought: and it is one of the objects of this Association to promote friendship and cordiality among them all. Ladies and gentlemen, I ask you to consider how in the world can we expect that there should be any friendship and cordiality, unless we are prepared to respect each other's feelings, and to tolerate even prejudices when not altogether unreasonable? I am ready to admit—for the sake of argument—though there is much to be said on both sides—that the undoubted and universal feeling of the Anglo-Indian community in regard to the Ilbert Bill may be founded to some extent on prejudice. That is a point on which I do not care to dwell. All I need here say is, that I have many valued and intimate friends among the educated natives, whom I respect as sincerely as any of my own countrymen. There are many native judges whose standard of honour I believe to be as high as our own. But that, I submit, is nothing to the point. I will venture to say for these very friends of mine, that they would never have dreamt of attempting to ride rough-shod over the feelings and wishes of their Anglo-Indian fellow-subjects, if they had not been egged on to do so by the imprudence of Lord Ripon's Government. For myself, I can speak the more freely, from the fact that I have always done everything in my power to enforce the utmost respect for the feelings and the reasonable prejudices of my native fellow-subjects. I can appeal with confidence to my native friends here to bear me out in this; and with equal confidence I ask them, how can we, with fairness or even decency, stand up manfully for native feelings—in such matters, say, as the exemption of native ladies from personal appearance in court—if we are not prepared to do as much for the strong and deep-seated

feelings of our English fellow-countrymen? Let mutual respect and mutual toleration be our watch-words in India. I assert that the Indian character is, if let to itself, the very reverse of an intolerant one; and I am very certain that this miserable dispute would never have occurred if it had not been forced on by the foolishness of the Government.

MR. TAHRIR UDDIN AHMED,—Great many English people have some strong prejudices against Indians, but whether those are real or false, it is the duty of the English people, to whom such a vast empire is entrusted, to take care of it, and act uprightly towards the natives of India. Specially when Her Gracious Majesty became the Empress of India it was proclaimed or promised that the natives of India will be regarded, and will enjoy the same rank, honour, offices, and privileges as the English subjects of Her Majesty. Great many English people, either in India or in England, were against the Bill under discussion. Whatever may be the opinion of others, sooner or later it was bound to be passed. Sooner this sort of liberal measures be passed it is better for the Indians, as they will be then prepared to carry on their rights earlier than the time it will take to educate them in those points, if those liberal measures be adopted slowly. There is no doubt, out of ignorance sometime, some might abuse their rights, but the measures against such people will teach others how to act carefully and judiciously. Under such circumstances, we are obliged to put up with a little inconvenience now and then, but we must think of the grand result it is likely to bring hereafter. Many have prejudice that native magistrates might not act justly towards Europeans. The prejudice, however, has no foundation, as the native judges have not yet had any opportunity of showing either ability or the want of it. The English Government had entrusted some of them with judicial functions, and the result was very much in favour of them. Those duties had been discharged as carefully and as impartially by the Indians as they could have been done by Englishmen. In the time of the Mughal emperors, as Mr. Keene described, the management of the kingdom was carried on very ably by the natives of India; and I must say that, as Akbar's liberal measures always gave him strong support from the people of different nationalities, and Aurungzebe's prejudicious policy ruined the future prosperity and prospect of the Mughal reign, as well as of the Mahomedans in India, it must put the English Government on its guard that despotic measures are always against the welfare of the governing power. Education is gradually spreading in India, and

sooner or later the Indians would turn their attention to European politics, and it would be better therefore for the English not to interrupt, but aid that political education which inevitably must come. Otherwise it might be that natives of India might think of having a change of government for the sake of a better one. On my part, having regard to the benefits which the English Government had conferred on India, I do not at any rate agree with that idea, but I only hope that British people must bear in mind that it is essential for them to cultivate the friendship of the Indians, which can only be achieved by doing full justice to them in every way.

Mr. KEISHNALAL DATTA said he had with deep interest heard Mr. Keene's clever paper, and thanked him very much for it. Before he proceeded further, he would like to explain that Indians are, as a nation, neither Conservative nor Liberal; but, as a matter of course, they were admirers of the leaders who feel for them, who sympathize with them, and whose hearts are touched with the sufferings of 250 millions of human beings, whose feeble voice can't reach to the ear of the British public. Looking into the history of the administration of India, they see it is the Liberals who have fought for the cause of India. Who is it that has, with lofty eloquence unsurpassed in the history of English rhetoric and pious heart, again and again fought the battles for India in the House of Commons, and has been crowned with many a glorious victory? It is John Bright—the hero of England—a Liberal. Who is it that with Christian feeling has fought the battles in connection with the Indian Civil Service question? Mr. Fawcett—a Liberal. Who is it that in a luminous speech in Midlothian, did condemn the Press Act which passed under the auspices of Lord Lytton—the Act which has darkened the pages of the history of the Conservative rule in India, and has struck the civilized world with horror? It is W. E. Gladstone, the present Prime Minister—the darling child of England. And it is under a Liberal Viceroy India has got local self-government and the Press Act has been repealed. The paper refers to the Criminal Procedure Bill of Mr. Ilbert. He had wished he could have avoided the mentioning this on this occasion; but he felt it would be an abandonment of his duty if he let this opportunity slip away without mentioning his opinion which this Bill has excited in his mind. He regretted to say this Bill has excited such bitter feeling among the Englishmen residing in India. The Bill empowers the native judges to have jurisdiction over Europeans. Those who take broad and general views of this Bill cannot fail to be impressed with the nobleness of the policy

which lies hidden under it. But, unhappily, the circumstances of this have been falsely circulated in this country with shameful exaggeration. This Bill is not a new one: it was introduced in the time of Lord Canning, but owing to that unfortunate incident, of which we all do heartily deplore—the Mutiny—it was not proceeded with. It was brought under consideration in 1843, 1852; again, 1856, 1860, 1865, 1872, and 1878. The report of the Indian Law Commissioners, appointed in 1870, says:—"We concur with the Commission which prepared the code, in thinking it desirable that a general and uniform system of criminal procedure should be applied to persons of all classes, without distinction; and we regret that greater progress has not been made in giving effect to this principle." In a despatch of Lord Cranbrook, dated 7th November, 1878, he says:—"The class of appointments for which the natives will be most eminently fitted is no doubt judicial"—mark! he says *judicial*—"but in exceptional cases I can well understand that a native of high executive capacity may be usefully selected for an administrative office." From this it is quite evident that natives should be allowed to enter in large numbers into the judicial offices, and one-sixth every year of the officers of the Civil Service are to be natives of India. This Bill has been violently criticized, and it has been declared that if this Bill passes, native judges will not pay respect to the English ladies *dne*. He looked with bitter contempt upon such commentators, and think it is beneath the dignity of a gentleman to take any notice of such statements. On April 10th, in the House of Lords, Lord Lytton delivered a long speech on the affairs in India. The whole speech seemed nothing but the sentences of astounded paradox. He said that there is no educated native in India, and it is inhabited by semi-barbarous peasantry. What more does an Indian expect from him, under whose guidance the "Black Act" and "Arms' Act" were passed? He says, "I am not surprised that English men and women living in a country where false charges, supported by artful perjury, are the commonest means of annoyance."—"False charges!" "Artful perjury!" This is the experience which his lordship has acquired sitting on the vice-regal throne in the palace of Calcutta. This is a very sore point to Indians that, sacrificing their life-blood, they have failed to secure the confidence and sympathy of England. If this Bill passes it will confer unspeakable benefit over the whole of India. Though European inhabitants in India are against, though the British press is opposed, he firmly believed that when Mr. Gladstone is Prime Minister, when Mr. Fawcett is in the Ministry, while J. Bright is still living, when



the Marquis of Ripon is our Viceroy, while Liberal sons of England are in power, the Indians shall have—they must have—justice. Rejoice then 250 millions of India, though many enemies you have, and remember—

"Justum et tenacem propositi virum  
 Non civium ardor prava jubentium  
 Non vultus instantis tyranni  
 Mente quatinus solida, neque Auster  
 Dux inquieti turbidus Hadrim  
 Nec fulminantis magna manus Jovis."

Mr. ABDOOL MAJID said, He did not think it was necessary for him to say anything, as the points were already sufficiently discussed. However, there were two most important remarks made, and he considered it most important to discuss them. One about the Bill being unsupportable on the ground of prejudice, and the other about the Mussulmans not being in favour of it. He, on his part, was ready to admit the existence of prejudices in India, and those which were respected; but at the same time he would submit that the prejudice advanced against the Bill was of a different type and nature. It was not a religious prejudice, it was the prejudice of superiority. Now he would request all those present to consider whether it was fair that such a prejudice should be cherished and advocated with such vehemence as is observable in this case. Natives have been acknowledged fit. Their ability and integrity are admitted. But their prejudice is advanced because natives must remain inferior. He would request an impartial judgment of the case. Justice requires that prejudice, as a prejudice, can never be a good and solid basis of any reason or justification. Even if it were so, then let us see whether this prejudice is of the same sort as the natives have or not. Here, again, it is quite plain that natives have religious prejudice; this is a judicial (if I can use that word) prejudice. Besides, a reference to the history of Indian Legislature will fully convince us also that natives have never been secure in their own prejudices. Time after time, whenever there was an opportunity, encroachments have been made on them. For instance, the office of Cadi, so important and necessary to the Mussulmans, has been abolished. The loss which the Mussulmans have sustained by this, and the prejudice that has been broken through, is explainable by the very investigation, and he would say historical investigation of the constitution of the office itself. Now, as to the hostility of the Mussulmans to this Bill, he would say that, to his own knowledge, no such feeling existed among them.

Mr. HAMID ALI KHAN, F.R.HIST.S., M.R.A.S., also referring to Colonel Malleson's statement that the native-feeling in India was opposed to the Bill, said that the Honourable Sayed Ahmod Khan Bahadoor, C.S.I., a well-known Mussulman, was in favour of the Bill—(hear, hear)—and that he had recently received letters from many Mussulman gentlemen, holding very high positions, who supported this measure. And although he was not prepared to give the names of the writers, he was assured, finding from what those letters told him, that the Mussulman population of India was entirely in favour of this Bill. (Hear, hear.) It was said as an objection to this Bill, that the natives were not familiar with the customs, life, and manners of the English. He could not understand what acquaintance with English life and manners and customs had to do with the administration of law. A native might not know how to drive in Hyde Park, might not possibly present a very graceful appearance in bowing to a lady in the English fashion, and might not be skilled in flirtation (laughter); but as far as the administration of law was concerned, he was confident that Indian Judges would be quite as competent as English Judges. In fine, he referred to the abolition of the office of Kazies, and the serious evils which have thereby resulted. The Mussulman law has, he added, practically ceased to be administered—a major portion of it regulating domestic affairs having not been recognized by English law. Showing the difference between Mussulman and English law as regards divorce of women, he concluded by saying that the objectionists to this Bill are, he hoped, prepared to reinstate and restore Kazies in the interest of the Mussulman community.

Mr. W. MARTIN WOOD: My lord, ladies, and gentlemen,—As this is not Parliament, where speakers must go on, though the audience disappears, I shall certainly not attempt to detain you much longer, but I should just like to recall the attention of the meeting to the paper itself. I think the discussion has gone rather too exclusively to the subject of the Criminal Jurisdiction Bill, and that it is time we paid some attention to Mr. Keene's very interesting address. I say this more especially because the Council of this Association have arranged to give a day specially for the discussion of the new Bill. Now, my lord, I feel some objection to the title of Mr. Keene's paper, and not the less so because he proceeds in the very first sentence to explain it away. My objection to it is a fundamental one, and it is one that, I think, he and many of the gentlemen who have spoken here to-day will agree with. In India and in connection with Indian affairs, we

want as little as we possibly can of party politics. (Hear, hear.) This partisan feeling in connection with Indian politics is quite a new thing. In John Lawrence's time we did not know of what politics an Anglo-Indian was; it used to be quite a difficult thing to know whether a man could be classed as a Tory or as a Whig. Colonel Malletson in one part of his speech excuses himself for speaking with strong feeling; and, my lord, I would also speak with strong feeling with regard to this matter. This incursion, this inroad of partisan politics into Indian affairs dates from 1875 or 1876. It was at that time I think that considerations of the exigencies of an English party cabinet were allowed to influence the conduct of Indian affairs. It dates from the period when in pursuance of the then British Cabinet's crazy scheme of trans-frontier invasion, the confusion and waste resulting therefrom threw Indian affairs into the witches' cauldron of party politics. (Hear, hear.) If we possibly can, I say, let us go back from this to the former wiser traditions. Therefore, as Mr. Keene put it, I would by all means use the word liberal with a small l. In that sense I can at once accept Mr. Keene's own definitions. Ho well says, "We must confine ourselves to a fundamental liberality, "a desire to smooth the path of worthy ambition, to lighten loads, "and to minimize monopoly and privilege. This has been slowly "growing since the days of Lord Wm. Bentinck." That is perfectly true, as he has exemplified in other parts of the paper by references that are full of interest. On the same page he speaks of the recent policy of the Marquis of Ripon and his advisers as if by antithesis or deprecatory contrast. Well, gentlemen, the policy of Lord Ripon and his advisers is the policy of John Shore, of Metcalfe, of Lord William Bentinck, of Munro, and, coming to more recent times, of John Lawrence, Sir Henry Maine, and of Lord Mayo himself. (Hear, hear.) These names remind us what a serious injury it will do to Indian affairs if you have this partizan feeling thrown into them. We have been accustomed, until a few years ago, to think that India was "the subject that divided us least," to use that excellent phrase of M. Thiers's; and I have often in past years been exceedingly gratified to see how true the remark was. But if I may make a party remark it would be this: there are certain Indian questions, especially those relating to Indian politics proper, which are, at best, very little understood in this country, but in regard to which we generally have been able to rely far more upon Conservative statesmen than on the Whig party. I mean they have shown more discrimination in dealing with, and more just regard for the ancient autonomy of India and in protecting its Princes and Chiefs. (Hear, hear.) Now to turn to the

paper again: Mr. Keene has criticized Mr. Bright's recent speech at Glasgow. Of course he is quite at liberty to do that, but the more serious mistakes that Mr. Bright made there are not, I think, those that Mr. Keene has referred to. The grand mistake Mr. Bright made is in taking up the view, which is not confined to himself but is common to the Whig-Radical party—the Whig more than the Radical perhaps—that our wars with the Dutch, and the French, and so on were entailed upon us in order to keep possession of India. No such thing. Those wars and conquests were undertaken that we might maintain British trade and British supremacy generally. (Hear, hear.) The difference in that respect between India and the Colonies is this: Whereas India has had to pay the expenses of all her wars, we have had ourselves to pay for wars connected with our Colonies. Surely we ought not to lay blame on India; it is rather the other way. (Hear, hear.) Now, my lord, I cannot refer at length to Mr. Keene's paper as I should like to do, but one of its excellent points is that part in which he exemplifies the great truth that India is not homogeneous, that it is diverse and different, that it is a continent and not a country. I would remind him, and I would remind this audience, seeing that Mr. Bright's name has been mentioned, that years ago Mr. Bright grasped that idea, and in one or two of those remarkable speeches in 1857-8, he sketched out a policy which has only as yet been tentatively and very mildly imitated by the Governors-General of India—Lord Mayo's government was the first to begin it—that of giving provincial and local autonomy. I think it is in that direction that we may look for very much of that safety, that imperial federal, but not formal unity which Mr. Keene advocates as one of his "Liberal principles." (Hear, hear.) Now with regard to this Bill, I think we have already had too much of it to-day, and even if I thought otherwise, I do not feel myself competent to deal with burning questions. I could not hope to emulate, for instance, my excellent friend Colonel Malleson. That touch of his about "wives and daughters" was worthy of a practised agitator. (Laughter.) Mr. Lothbridge spoke about deferring to the prejudices and sentiments of the European population in India. Well, I would go a long way in that direction, certainly; but that reminds me of one word I would like to say with regard to this question. It comes to this; Who in the last resort is to be the governing power of India? Is it to be these few thousand Englishmen and Scotchmen in Calcutta? (Hear, hear.) A great deal is said about the universality of the outcry against this Bill, but, my lord, the great concentration of that has been in Calcutta. The

movement in Bombay followed the one in Calcutta, but it was exceedingly mild and temperate—very much after the way in which Mr. Keene himself has dealt with it. I say it comes to this: are the conduct and policy of our Indian empire to be decided by a few thousands of irresponsible Englishmen living in India only for a few years, or by the Crown and Parliament and the bulk of the people of this country. (Hear, hear.) With regard to the question of self-government, there is one very neat form in which Mr. Keene puts this matter of the district officers. He says: "To dislodge the district officer from the presidency of local boards is not the way to foster liberal principles, but rather to discourage them." The difference is this. Hitherto the district officer has had both the initiation and the domination; now, by the changes proposed, he will no longer have the initiation, but he will still have the domination. Surely there is no great danger in that alteration, and this is a very moderate application of liberal principles. It would be improper for me to take up more time; but I am sure we must all feel under obligation to Mr. Keene for his lively and suggestive paper. (Hear, hear.)

MIRZA PEER BUKHSH said he must join his fellow-countrymen in support of the Bill which had excited so much controversy. He avowed his belief that the basis of the opposition was simply *E. s. d.* For this object Englishmen attained the rule of India, for this object they had monopolized it, and for this object they were railing at the Criminal Jurisdiction Bill. He said that in India, according to the last returns, there were 257,000,000 of population, of which the British subjects with other Europeans were about 500,000, being in the ratio of about  $\frac{1}{514}$ ; and this small fraction has raised a *tempête en vain l'oui*. The only superiority they had was that they were "white skin," and the natives are "black skin." Therefore they did not like to be judged by native judges in *Maufaceate* or district. That, as they were at liberty to heat and kick the natives in a shameful way, the persons ill-treated, if they sought redress, had to go to Calcutta, Bombay, or Madras, there to be tried by an English judge and jury. He further said that Indian young gentlemen, who came to England to be educated, remained there four or five years, and could not live under £300 a year, amounting to £1200 to £1500 in all, the interest on the above sum being, at 5 per cent., from £60 to £75; that when they had passed their Legal Examination, as their white-skin fellow-subjects, if they strove to get some respectable situation, and entered the Government Service, they might get £4 a month or £48 a year, or £5 a month or £60 a year; that there was lost on the interest of the

capital £27 or £15 a year. He said furthermore, that the excitement about the supposed gravity of the danger of Europeans being tried by native magistrates was ridiculous, when it was remembered that Indians themselves had long been compelled to accept the decisions of European judges, however inequitable and ignorant they might be; for the number of native suitors, who could bear the expense of taking their appeals to Calcutta, must always be comparatively few. As to the solicitude of Colonel Malleon for the feelings of the wives and daughters of Englishmen, it was sufficient to say that the Indians too had wives and daughters, and that they were environed by social laws and customs which made contact with strangers peculiarly disturbing. Moreover, could any one refer to any circumstance in the past which would justify the assumption that a native Indian judge would be less regardful of the feelings of European ladies coming into his court than of the feelings of the ladies of his own family and race? In conclusion the speaker said that on 10th April, Lord Lytton brought the subject of Criminal Procedure before the House of Lords; from beginning to end he was against the reform, and at last confessed that the British rule in India was absolute; that the criticisms directed against Russia, Turkey and Austria, must come with ill grace from people who in India fail to practice what they were constantly preaching in Europe, and that he felt confident that, were the English people at home to once become fully aware of what was done in their name in Asia, they would be instant and jealous in their insistence that the just demands of the Indian populations should be conceded.

The Noble CHAIRMAN:—Ladies and gentlemen: In the usual course Mr. Keene would have himself replied, but he has asked me to excuse him because he has been called away on private business, and he has had to leave. Now I would say a few words with regard to Colonel Mallison's remarks. He said that forty millions of Mussulmans were opposed to Lord Ripon's Bill. I think that is rather an exaggeration. What really has taken place has been this. The *Anjuman* of the Punjab published an article which arrived in London, and was republished in *The Morning Post* either the day before or on the morning of the Debate in the House of Lords. I read it, and attached a great deal of weight to what it said; but I think I have given the substance of it in what I said to-day, that the native population of India had not asked for this change; it was entirely initiated by the Indian Government, upon the advice of old officials. The thing had been in contemplation for some time.

Colonel MALLESON: Would your lordship allow me to give you

the reasons for the statement I made. It was not only the article that you mention, but there was a gentleman here this afternoon who was lately a judge of the High Court in the North-West provinces, who assured me that the whole of the Mahommedans, and not only the whole of the Mohammedans, but the whole population of North-Western India were against the Bill. [HAMID ALI KHAN: It is not so]. I am only stating what this gentleman told me.

The Noble CHAIRMAN: Then it is at best only hearsay evidence.

Colonel MALLESON: Oh no; it is the statement of a man who knows.

The Noble CHAIRMAN: Then, Colonel Malleeson, it is only the opinion of your informant. What I say is this—that the Mussulmans who see their kazies becoming of no importance, in consequence of this gradual process of unification of law in India, bringing all the different classes and races and nationalities of India under the Indian code, cannot regret if they see that unification go a little further. Well, gentlemen, I will not at this hour detain you further. I have been asked to mention that if this Association is to continue its work, the number of its members must be increased.

Mr. C. W. ARATHOON, in moving a vote of thanks to the Chairman, said that whatever differences of opinion there were on the subject of the debate, they would all be of one mind in heartily thanking the noble Lord for the able manner in which he had presided. And his (the speaker's) native friends would join all the more warmly in the present vote, having regard to the strong and able support they had received at the hands of Lord Stanley of Alderley, who had spoken on the side that certainly had justice to support it.

The Rajah RAMPAL SINGH seconded the motion, which was cordially adopted, and the proceedings concluded.

## ANNUAL MEETING, 28TH MAY, 1883.

THE Annual Meeting of the East India Association was held on Monday, May 28, 1883, at the Chambers of the Association, 26, Charing Cross, London, S.W., under the Chairmanship of Sir Richard Temple, Bart., G.C.S.I., C.I.E., D.C.L., President of the Association.

After the usual preliminaries, the CHAIRMAN said it would doubtless be the pleasure of the meeting, seeing that all the members had been furnished with a copy of the report of the Council and of the audited accounts, to take them as read. The report was simply a record of their continued success and prosperity and usefulness, and, therefore, under the circumstances, and considering that, in this busy season of the year, brevity was an especial virtue, he would assume that the meeting did not need a recapitulation of what they had already read.

The Chairman's suggestion having been accepted *nem. con.*,

The Right Hon. Lord STANLEY OF ALDERLEY, one of the Vice-Presidents, moved the adoption of the Report and Accounts, and took occasion to congratulate the Association upon having at their head so distinguished a public servant as Sir Richard Temple. It was exceedingly desirable that they should have amongst them as many old and experienced officials as possible to guide them with their experience, and to add the weight of their influence to any opinions which the Association might form. He (Lord Stanley) owned his fear that in any case they must probably lose the services of Sir Richard Temple ere long, but if so, they must solace themselves with the reflection that he would be in the House of Commons, giving that body much needed assistance in the consideration of Indian affairs. It was Sir Richard Temple's fortune not to have yet reached the age when men have time enough to give sole attention to associations like theirs—for they were, for the most part, warriors resting after years of battle—whereas in Sir Richard's case, the fight was, as they anticipated, not nearly done. It was, therefore, fortunate that in the new chairman of the Council of the East India Association they had secured one who would give great weight to their decisions. They could not have a better chief than General Sir Orfeur Cavenagh, who served many years in India before he became Governor of Singapore, and was well known from his distinguished and honourable career. (Hear, hear.)



\* Mr. JOHN SHAW seconded the resolution, which was adopted unanimously.

The Rajah RAMPAL SINGH moved,—“That the meeting regrets “the retirement of Mr. E. B. Eastwick, c.b., from the Chairmanship “of the Council of the Association.” He said he had had some little experience of the services rendered to the Association by Mr. Eastwick, and he had great satisfaction in testifying that that gentleman officiated as Chairman of the Council with great discretion and tact, so long as his health suffered him to do so; and all would join in regretting that, after sixteen years’ service, Mr. Eastwick’s active work for the Association must cease.

Mr. P. PIRIE GORDON said it was with deep sincerity that he seconded this motion. He had served with Mr. Eastwick as a member of Council under him, ever since he was appointed, and he had seen with great pleasure the deep and abiding interest the Chairman of the Council took in the affairs of the Association. It was unfortunate that Mr. Eastwick’s bad health compelled him to resign his post; but he had stuck to it as long as he was able, and nothing but severe illness would have induced him to relinquish a connection so personally dear to him. It would doubtless be a solace to him to know that the Association had been fortunate enough to gain a worthy successor to their retiring Chairman. (Hear, hear.)

The resolution was cordially and unanimously adopted.

Mr. P. PIRIE GORDON said he had a pleasing duty to perform, and one that he was sure would have the cordial approbation of the meeting. At the last meeting of the Council it was resolved to appoint the retiring Chairman one of their Vice-Presidents, if he would accept it, and as Mr. E. B. Eastwick had done so in warm terms, he hoped the action of the Council would be approved. (Hear, hear.) He moved accordingly.

Mr. W. TAYLER (late Commissioner of PATNA) said he would heartily second the motion.

Mr. W. HAMILTON BURN (Secretary of the Association) read the following letter:—“May 22nd, My dear Sir,—Will you please lay “before the Council the expression of my sincere thanks for the kind “and only too favourable manner in which they have spoken of my “feeble efforts to be of use to the Association. I accept with much

"pleasure and with a strong sense of the honour done to me in offering it, the post of Vice-President of the Association. Yours faithfully, EDWARD B. EASTWICK."

The resolution was then adopted unanimously.

Mr. W. TAYLER moved a vote of thanks to Sir Orfeur Cavenagh for accepting the vacant post of Chairman of the Council of the Association. Mr. Tayler said he had been disabled by ill-health from attending the meetings of the Council for a long time past, but he was quite sure he knew enough of the characteristics of General Cavenagh to vouch that the Association were fortunate in obtaining his services in the most important post of Chairman of the Council, and that the interest and welfare of the Association would suffer nothing at his hands.

Colonel R. M. MACDONALD seconded the motion, which was adopted *nem. con.*

Mr. C. W. ARATHOON said he had great pleasure in moving the election of Mr. A. K. Settna as a member of the Council be confirmed. They were in need of the assistance of native gentlemen on the Council who were in residence in London, and the Council were always glad to have such help. Mr. Settna had attended the meetings of the Council, and had done what he could to assist and aid them; and he would doubtless continue to do so as long as he remained in this country.

The Rajah RAMPAL SINGH seconded the motion, which was adopted unanimously.

General Sir ORFEUR CAVENAGH said he had been called upon to move that the retiring eight members of Council be re-elected, and he obeyed with some diffidence, since it involved moving his own re-election with the rest. But for his colleagues he had no hesitation in expressing his pleasure at moving their re-election. In one or two cases, it was true, the gentlemen in the list to be re-elected, had not been able to give their personal assistance at meetings, yet possibly the East India Association derived assistance from them in the course of the year in other ways. Of one of the gentlemen—Mr. Dadabhai Naoroji—it was superfluous to say he took the greatest interest in the Association from its very beginning, and although he was in Bombay, the Association were still in receipt of material assistance from him. (Hear, hear.)

Mr. A. K. SETTNA said he had pleasure in seconding the motion. As a new-comer, of course, he had had little personal experience of the work of the gentlemen in the list, but he readily accepted the assurance of men of more experience than himself, that the services of the nominees were useful to the Association.

The resolution was adopted.

Mr. C. W. ARATHOON moved that Mr. ROGER LETHBRIDGE, C.I.E., be elected a member of the Council of the Association, as a gentleman who would be able to render great assistance, and who had expressed his willingness to serve if elected.

Mr. WM. TAYLER seconded the motion.

Mr. W. HAMILTON BURN (Secretary) read a letter from Mr. Lethbridge stating that he would have much pleasure in serving on the Council if elected.

The motion was then adopted.

The CHAIRMAN said his next duty was to propose that the new rules (already circulated) be taken as read, and that they be formally adopted. He might explain that the new rules had been carefully considered by the Council, and they were recommended for adoption.

Lord STANLEY OF ALDERLEY seconded the motion.

General Sir ORFEUR CAVENAGH said he had received a letter from Mr. W. Martin Wood, who was well known to them all from the interest he took in the Association, making certain suggestions in the way of amendment of the bye-laws recommended. In No. 8, for instance, Mr. Wood suggested that it should be "if any *two* members" object to the resolution, it shall be reserved for final decision, whereas the recommendation was, "if *any* member." And in bye-law No. 9, in place of the proposed *two* dissents, Mr. Wood suggested four. Mr. Wood's general object was to facilitate the dealing with current public affairs, and to secure the Council being able to take action before the emergency may have gone by. Gen. Cavenagh added that, for himself, he could not support the suggested amendments.

Mr. SHAW, Mr. ARATHOON, Mr. TAYLER and others also dissented from the proposed change of the recommendations of the Council as printed, and ultimately the new bye-laws, as originally recommended, were adopted unanimously.

Mr. C. W. ARATHOON said that the Council were much indebted to Mr. John Shaw for drawing up these new rules, and he would move a vote of thanks to him for his really valuable services.

General Sir ORFEUR OAVENAGH said he had pleasure in seconding this, because it was to Mr. Shaw, almost alone, that these new rules were due, and he had given a great deal of time and attention to the matter.

The resolution was unanimously adopted.

Mr. JOHN SHAW said he was obliged to the Meeting for a compliment for which he must confess he was quite unprepared. Indeed, it was almost a case of "ca' me, ca' thee," because he had intended to propose a vote of thanks to Mr. Arathoon, but that gentleman did not wish it to be done. But he was happy to be of service to the Council, and to the Association in this way, and he hoped the rules would put them on an improved footing in several respects. Nevertheless, he did not claim much merit for it. He did not give the Association much help in other ways, but this matter was in his line of business, and he was glad to find himself of service.

Mr. TAYLER moved, and Mr. SHAW seconded, that the by-laws sanctioned by the Council at their last meeting be adopted, and this was carried *nem. con.*

General Sir ORFEUR CAVENAGH said they had concluded their business, with the exception of one resolution, which he was called upon to move. It was one that called for no recommendation from him; and if he had intended to make a speech the words would have been taken out of his mouth by Lord Stanley, who had aptly alluded to the value of the services of Sir Richard Temple. The Council and the Members all recognized in Sir Richard, one of the most valuable and useful of the Presidents of the Association. He has taken a sincere interest in the work of the Association, and continues to do so; and if he would accept the re-election the Association would be greatly indebted to him. General Cavenagh then personally moved, "That Sir Richard Temple, Bart., be elected President of the Association for the ensuing year."

Mr. W. TAYLER seconded this, and it was cordially and unanimously adopted.

Sir RICHARD TEMPLE, responding, said he accepted with great pleasure the invitation to again officiate as President of the Association for the ensuing year. It was quite true, as General Sir Orfeur Cavenagh mentioned, that he took a real and living interest in the welfare and work of the East India Association. He would point out that there is growing up a public opinion in this country regarding Indian affairs—an Indian public opinion, as it were,—expanding within that greater public opinion which dominates the British Empire, forming an *imperium in imperio*. This Anglo-Indian public opinion must have some means of expression and operation; and what means could be furnished better than is given by the East India Association? There must be, or there ought to be, a vehicle, a means of co-operation, an organization from which those who are interested in India may ventilate their opinions. There ought also to be a local habitation as well as a name where those who are interested in India may gather from time to time and confer with each other, sometimes strengthening their opinions, and sometimes, also, modifying them and rubbing off the angularities of thought and expression which are apt to manifest themselves in a progressive country and in a sensational age. But they must regard the East India Association as a means not only of letting off intellectual and moral steam, but of really influencing the great public opinion which is outside Anglo-Indian opinion, and which surrounds as in this country, even as the ocean surrounds the Island. And if the East India Association managed their meetings well,—if carefully considered papers are followed by elaborate, learned, and temperate discussions,—the hope might be indulged that something would be done to rightly influence that rational public opinion, and that the smaller Anglo-Indian opinion may serve as a leaven to affect the entire mass in so far as Indian public affairs are concerned. Further he would desire to impress upon all present, and, through them, the members generally, that if the East India Association is to continue to flourish and to increase in prosperity, they must endeavour to attract into their ranks all the native gentlemen who are temporarily or permanently residing in this country, and in London especially. He was afraid that—although they had many eminent native members of the Association—a larger number who should be with them had not yet been enlisted. Now, he would repeat that it is most desirable that such native gentlemen should become members of the Association, because by its means they could attend meetings where subjects affecting the well-being of their country are calmly and judiciously discussed without any display of extreme opinion and without any violence of expression. He need not say that, in these

controversial times, it is most important that the expressions of feeling and opinion on both sides should be moderated as much as possible, and that, considering that we are in the very centre of one of the foremost Christian nations in the world, we should set an example to the world, and to our fellow-citizens in the Indian Empire especially, of that moderation in language and argument which proceeds from Christian charity. In conclusion, the Chairman said he hoped he had not detained the meeting unduly with the few words he had ventured to utter. He could only reiterate his thanks for the honour conferred upon him, and add his confidence that the East India Association would continue to grow from year to year in prosperity and usefulness. (Hear, hear.)

General Sir ORFEUR CAVENAGH said that although the meeting had expressed thanks to Sir Richard Temple for his services in one capacity it had not done so in another. The members present had acknowledged their obligations to Sir Richard Temple for his presidency of the Association, but the meeting would not be content to leave unacknowledged his services as Chairman of the occasion, especially after the admirable little address he had just delivered. (Hear, hear.) He (General Cavenagh) hoped that they would all take to heart the Chairman's advice, and remember that a controversy which is conducted with moderation and without bitterness of spirit, will have much more effect in the world than a violent and contentious course. Here, in the East India Association, they claimed to be possessed by no party feeling; the sole object is to endeavour to promote the interests and the welfare of a country in which the members generally take a deep interest, and in which most of them, in various spheres, have served for many years. (Hear, hear.) He would cordially propose a vote of thanks to Sir Richard Temple for his services as Chairman of the day.

Mr. P. PIRIE GORDON, seconding the resolution, said there could be no two opinions on the matter.

The resolution having been unanimously and cordially adopted,

The CHAIRMAN said he could only repeat his deep sense of their kindness. He was gratified that the proposal had been accompanied with the expressions of opinion from so able and distinguished a man as General Sir Orfeur Cavenagh on the wisdom of preserving moderation in all their doings. If the East India Association were other than it is, it would be important to recall to mind that opinions

should be expressed with vigour and independence. But considering that we are really in the freest country in the world—not even excepting the United States of America—there seems little reason to fear any lack of vigour and independence in the expression of thought. The real danger is that we should be excessive and unguarded in our use of argument and invective ; and hence he was glad that what he had ventured to say had the approval of so able and experienced an officer as General Cavenagh.

The proceedings then terminated.

## ANNUAL REPORT, 1882-3.

Your Council, in submitting their report for the year 1882-3, are glad to be able to congratulate the members on the steady and increasing prosperity of the Association. During the period under review the objects of the Association have been zealously and assiduously carried out. It will be seen from the following summary that an increased number of papers have been read before largely attended and influential meetings.

The Council, finding that Bedford Row was inconveniently situated for the purposes of this institution, decided on moving back to the neighborhood of the India office and the Houses of Parliament, and succeeded in securing the present offices at a rent of £90 per annum for three years certain, with the option of a further term of three years at £95 per annum. Although a slight reduction has been effected in the rent, on the other hand the Council have not the use of a large public room for their public lectures on such reasonable terms as in Bedford Row.

The Council have to express their sincere regret at the retirement of Mr. E. B. Eastwick, C.B., from the chair, owing to his continued ill-health. The letter of the Council to Mr. Eastwick on his retirement as their Chairman since the foundation of the institution, is annexed to this report. The Council are glad to be able to state that they have secured the valuable services of General Sir Orfeur Cavenagh as their Chairman. Since the last general meeting the Vice-Chairman, Sir Charles Wingfield, has also retired, and the Council in June last elected the Rajah Rampal Singh in his place.

*Letter to EDWARD B. EASTWICK, ESQ., C.B.*

DEAR SIR,

The Council of this Association sincerely regret that you are obliged to retire from the post of Chairman owing to your continued ill-health. In accepting your resignation the Council cannot forbear recording their unanimous conviction and appreciation of the services you have rendered to the Association since its inception, not only in this country but in India.



The Council have also to thank you for the active and ready assistance you have rendered them as their Chairman upon all occasions. In wishing you farewell they desire to express their sincere hope that the change to a more genial climate, which you contemplate, will restore you to better health.

In conclusion, I am directed to state that the Council trust that you will accept the office of Vice-President, your acceptance of which is unanimously requested.

I am, dear Sir,

Yours faithfully,

W. HAMILTON BURN,  
Secretary.

Mr. Dadahhai Naoroji having requested the Council to allow the use of these rooms as the London agency offices of *The Voice of India*, a magazine in which he takes a deep interest, upon the recommendation of Sir William Wedderburn the Council have allowed one of their body to have the correspondence relative to that magazine forwarded to this address, and to avail himself of the use of the rooms so long as the convenience of the members may not be interfered with.

The Acting-Secretary, Mr. W. Hamilton Burn, was in June last appointed Secretary to the Association, and at the commencement of this year on his representing that owing to the great increase in the work of the office he required some help, the Council resolved upon requesting Mr. C. W. Arathoon, one of their body, to render the requisite assistance, to which he has kindly acceded.

#### LOSSES BY DEATH.

It is with great regret the Council record the deaths of Sir David Wedderburn, Bart., who at all times took an active interest in the work of the Association, of which he was one of the Vice-Presidents, and of Erskine Rolland, Esq., who was for many years a Life Member.

#### ELECTION OF MEMBERS.

The following gentlemen have been elected members of the Association since the last annual meeting:—Edward Nicholl, Esq.; Hamid Ali Khan, Esq.; Henry F. Whyte, Esq., C.E.; Thomas Charles Thompson, Esq., M.P.; Gustav Oppert, Esq.; Roper Lethbridge, Esq., C.I.E., M.A.; Henry Thompson, Esq.; Edmund Kimher, Esq.; Arthur K. Connell, Esq.; Surgeon-General W. G. Hunter; Lieut.-General H. St. Clair Wilkins, R.E.; James Geddes, Esq.; Peter Rylands, Esq., M.P.

The following gentleman has been elected a member of the Council since the last meeting:—Ardeshir Karasjee Settna, Esq.

According to the terms of Article 8, the following members of the Council retire by rotation, and the Council recommend their re-election:—C. W. Arathoon, Esq.; Major Evans Bell; General Sir Orfeur Cavenagh, K.O.S.I.; John Dacosta, Esq.; Dadahhoy Byramjee, Esq.; Dadahhai Naoroji, Esq. (in India); Robert H. Elliott, Esq.; George Foggo, Esq.

Memorials on the following subjects have been presented to the Secretary of State for India:—

1. The Ahkari Act (Vol. XIV, p. 300).
2. Against India contributing towards the expenses of the Egyptian Expedition (see p. 88 of the present volume).
3. Seeking the repeal of the duty on gold and silver plate (p. 89 same volume).
4. A memorial forwarding copies of documents emanating from the Bombay Branch of the Association, on the following subjects:—
  - (a) Public Instruction.
  - (b) Local Self-Government.
  - (c) Encouragement of Native Manufactures.
  - (d) Egyptian War Expenses.

The following Papers have been read since the last annual meeting:—

#### INDIAN TRADE AND FINANCE—PAST, PRESENT, AND PROSPECTIVE.

On Wednesday afternoon, May 31st, 1882, a meeting of the members and friends of the Association was held in Doughty Hall, Bedford Row, under the presidency of Lord Stanley of Alderley, when Mr. W. Pirie Duff read a paper on "Indian Trade and Finance—Past, Present, and Prospective." After showing the wonderful expansion and development of the trade and commerce of India under the fostering care of British rule, and strongly combating the views of those who have minimized the value of India to England, Mr. Pirie Duff, in a survey of the future of Indian commerce, gave reasons for his conviction that it is still hut in its infancy, and that the future will show such an expansion as will dwarf the otherwise remarkable experience of the past. Indigo might be threatened by chemical imitations, hut tea held out the fairest promise of great expansion; and much might be anticipated from the cultivation of rice and still more from an extension of the wheat-growing area. If silk, as an article of Indian commerce, has seen its best days, the cultivation of

jute—an industry which has only come into prominence since the Crimean War—may be expected to extend; whilst a vigorous growth of the tobacco culture and manufacture in a climate and soil so favourable to the nurture of the weed affords high promise in the future.

A discussion followed the reading of the paper, which, with the paper, will be found reported in full in Vol. XIV, pages 231-256 of *The Journal of the Association*.

#### AN ENGLISHMAN IN INDIA.

On Monday afternoon, June 26th, 1882, a well-attended meeting was held in Doughty Hall, Bedford Row, under the presidency of Sir Richard Temple, Bart., G.C.S.I., when Mr. E. J. Khory read a paper entitled "An Englishman in India."

Mr. Khory in his paper reviewed the "incalculable benefits" the natives of India had up to this time derived from the stay of Englishmen in India. They had put a stop to the inhuman custom of suttee, the horrible crime of infanticide, and the monstrous practice of causing fanatic Hindu devotees to be crushed under the hideous car of Juggernaut. They had rooted out the Thugs, and suppressed many other revolting barbarities. On the one hand they had succeeded in driving away ignorance, the formidable enemy of India; and on the other had spread the golden rays of English education throughout the length and breadth of India. They had imprinted deep marks of good by the introduction of railways, telegraphs, steam power, the press and gaslight; by the construction of canals and stately edifices; and by providing for many other comforts of life. Their stay had chased away anarchy and despotism from India. They had made ignorance, insolence, and superstition slowly give way to education, energy, intellect, industry and truth. They were patiently evolving the social and political regeneration of India, and had influenced the magnanimous people in England to show conspicuous proofs of their profound sympathy with the natives of India by voluntary subscriptions for the famine-stricken population, and by saving them, from time to time, from the very jaws of death. But England did not stand without her compensation. She alone among the great countries of Europe enjoyed the high fairs of ruling over a country almost as large as Europe. India contributed largely to the resources of England, and took 82 per cent. of her whole imports from England. India, moreover, supplied the pay of 70,000 British officers and soldiers. Mr. Khory also spoke of the meritorious and praiseworthy

acts of justice done by the present benevolent and kind-hearted Viceroy, Lord Ripon. A discussion followed the reading, which, with the paper, will be found reported in full in Vol. XIV, pages 257-295 of *The Journal of the Association*.

#### WHY SHOULD INDIA PAY FOR THE CONQUEST OF EGYPT?

At a meeting held at the Pall Mall Restaurant, 14, Regent Street, Waterloo Place, on Tuesday afternoon, November 28th, 1882, under the presidency of Mr. Thomas C. Thompson, M.P. for Durham, Mr. H. M. Hyndman delivered an address on "Why should India pay for the Conquest of Egypt?" Mr. Hyndman strongly urged that India should not be called upon to pay any portion of the cost for "the Conquest of Egypt," expressing the conviction that the great mass of Englishmen were ready to resent the gross injustice about to be done in their name to the many races and nations for whose welfare they were directly responsible. Mr. Hyndman contended that for wealthy England to throw the cost of her imperial war against Egypt upon the shoulders of the miserably poor ryots of India would be an act of colossal meanness that could not fail to degrade our country in the eyes of the whole civilized world. He warned the British people that they were raising up in India keen critics of our every action, and if they learn that all the talk about the well-being of a subject-population is so much cant, and if they note that both parties in the State combine in the profession of a convenient hypocrisy, then all hope of loyalty from them will be at an end, and every man whom we educate will be an enemy the more to contend with. The discussion which followed the reading of the paper will be found reported in full in Vol. XIV, pages 303-337.

#### INDIAN PUBLIC WORKS' FINANCE, EXCHANGES AND LOANS.

A meeting was held at the Pall Mall Restaurant, 14, Regent Street, Waterloo Place, on Monday afternoon, January 15th, 1883; Lieut.-General H. St. Clair Wilkins, R.E., presiding; when Mr. W. Martin Wood delivered an address on "Indian Public Works' Finance, Exchanges and Loans: a Problem, a Paradox, and a Solution." After asserting that the Anglo-Indian Exchange trouble has arisen mainly from the absence of some set-off to the vastly increased amount of Council Bills during recent years, Mr. Wood urged that such set-off should now be sought, when the Government of India is compelled by State necessities to borrow, by taking up its loans in England instead of in India, and by a vigorous carrying out of productive public works

by means of the cheap funds of Europe. Contrary to the popular assumption and superficial view, this course need not add to the burden of the home charges, because the very large immediate relief in diminishing loss by exchange would outweigh the small additional charges for interest paid in England, and the profits from properly constructed public works would provide a sinking fund to keep down the capital debt. Further, Mr. Wood contended that the home charges debitable to India might and should be greatly diminished. The Indian debt should be formally, as it is now morally, guaranteed by Parliament, thus reducing the interest charges materially. The outlay in England on Indian administration should be defrayed by England, as in the case of the Colonies; and the cost incurred at the *depôts* of regiments serving in India, the payments for pensions and furlough allowances, might suitably be paid from the British revenue. By a frank and faithful adoption of the policy of utilizing the people of India in the work of administration, and lessening the number of European *employés*, the remittance account would be lessened, and the country would profit by salaries being spent in its borders instead of in Europe. Amongst minor mitigations of remittance charges, Mr. Wood suggested that the more general purchase in India of stores and material for the public service ought to be aimed at; the new practice of fixing a minimum price for Council Bills should be adhered to, as indicating that the Secretary of State is not quite at the mercy of the banking interest, and the advertising for loans in silver, instead of sterling rates, should be fairly tried when next loans have to be raised; but this should be in London, as the cheapest market. A discussion followed the reading, which, with the paper and an important memorandum by Sir Arthur Cotton, will be found reported in full in *The Journal of the Association*, pages 1-53 of the present volume.

#### SOCIAL INTERCOURSE BETWEEN EUROPEANS AND NATIVES IN INDIA.

A largely attended meeting was held at the Pall Mall Restaurant, 14, Regent Street, Waterloo Place, on Wednesday afternoon, February 7th, 1883, under the presidency of Lord Stanley of Alderley, when a paper was read by Mr. M. D. Dadysett, expressing the sentiments of Mr. N. S. Ginwalla, a Parsee merchant of Broach, as well as of the reader.

In this address it was urged that now, if ever, was the time when there was a pressing necessity for the display of genuine feelings of cordiality and friendliness between the English rulers and the natives of India. No topic could more fitly engage the attention of the

British public, for it involved a solution of the difficulties of a permanent British *raj* in India. The delusion that the natives of India were all devoted to the British rule should be dispelled, and the truth recognized that from a population six times as large as that of England it is not possible to meet with universal approval or appreciation of their rulers. The sedulous aim should be to create a feeling of confidence and respect among the various races that inhabit the vast Peninsula; and with this object Mr. Dadysett urged that every means should be employed to increase the social intimacy of Europeans with the Oriental races in India; and, recognizing the great obstacles, religious and social, which stand in the way of *rapprochement* from Hindus, he argued that Englishmen should exert themselves to manifest kindly feelings to all natives who showed themselves desirous of associating with their rulers. Those who have opportunities of knowing the natives longest, have always the best and most favourable opinion of them. There is no disguising the fact that the stability of the English power in India rests on the general opinion of the natives as to the comparative superiority in good faith, wisdom, and strength of the English to their own former Hindn and Mohammedan rulers. This is a consummation devoutly to be wished for by every honest English member of the governing fraternity, and this end can materially be enhanced and strengthened by the consideration Englishmen show to the Indian habits, institutions, prejudices, and time-honoured customs, and by the moderation, good temper, and kindness with which they behave towards them. A discussion followed the reading of the paper, which will be found reported at full length in *The Journal of the Association*, pages 54-83 of the present volume.

## PUBLICATIONS.

The Council tender their best thanks to the Proprietors of the following Papers, who present copies for the use of the Reading-room, where they may be daily read by members of the Association :—

<i>The Aligurh Institute Gazette</i>	.	.	.	.	Aligurh.
„ <i>Native Opinion</i>	.	.	.	.	Bombay.
„ <i>Times of India</i>	.	.	.	.	„
„ <i>Bombay Gazette</i>	.	.	.	.	„
„ <i>Indu-Prakash, or Moonlight</i>	.	.	.	.	„
„ <i>Prabhakur, or Sun</i>	.	.	.	.	„
„ <i>Loke Mitra, or the People's Friend</i>	.	.	.	.	„
„ <i>Voice of India</i>	.	.	.	.	„
„ <i>Indian Spectator</i>	.	.	.	.	„
<i>Friend of India and Statesman</i>	.	.	.	.	Calcutta.
„ <i>Hindu Patriot</i>	.	.	.	.	„
„ <i>Indian Daily News</i>	.	.	.	.	„
„ <i>East</i>	.	.	.	.	Dacca.
„ <i>Madras Times Overland Mail</i>	.	.	.	.	Madras.
„ <i>Mahratta</i>	.	.	.	.	Poooa.
„ <i>Home and Colonial Mail</i>	.	.	.	.	London.
„ <i>Journal of the Society of Arts</i>	.	.	.	.	„
„ <i>Journal of the Royal United Service Institution</i>	.	.	.	.	„
„ <i>Journal of the Statistical Society</i>	.	.	.	.	„
„ <i>Journal of the National Indian Association</i>	.	.	.	.	„
„ <i>Proceedings of the Royal Colonial Institute</i>	.	.	.	.	„
„ <i>Proceedings of the Literary and Philosophical Society</i>	.	.	.	.	Liverpool.
„ <i>Proceedings of the Literary and Philosophical Society</i>	.	.	.	.	Manchester.
„ <i>Annual Report of the Smithsonian Institution</i>	.	.	.	.	Washington, U.S.

The Council will be glad to receive and file, at their Office, other journals and periodicals, both from India and elsewhere.

## ACCOUNTS.

The Accounts for the year have been audited, and will be found in the Appendix.

CASH ACCOUNTS, from 1st May, 1882, to 30th April, 1883.

## 149

BALANCE SHEET, April 30th, 1883.

**ASSETS:**

W. HAMILTON BURN, Secretary.



## ALPHABETICAL LIST OF SUBSCRIBERS

*Who have paid their Subscriptions from May 1, 1882, to  
April 30, 1883.*

	For	£	s.	d.
Vincent Ambler, Esq. . . . .	1882	1	5	0
J. C. P. Anderson, Esq. . . . .	1883	1	5	0
Major-General F. Applegath . . . . .	"	1	5	0
C. W. Arathoon, Esq. . . . .	"	1	5	0
General Sir George Balfour, K.C.B., M.P. . . . .	"	1	5	0
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Major-General James Black . . . . .	1881-83	3	15	0
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## THE ANNUAL MEETING OF THE BOMBAY BRANCH.

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THE Annual Meeting of the Bombay Branch of the East India Association was held on Monday evening at the Framjee Cowasjee Institute. Mr. Dadabhai Naoroji occupied the chair.

THE CHAIRMAN, in opening the proceedings, observed that the inhabitants of India could not be too thankful to Lord Ripon for the deep interest he had taken in the promotion of measures for the good of India, and it became them to do the utmost in their power to assist him in carrying out those measures which he had launched for their welfare. The only association in Bombay which could do this work was the Association whose annual meeting they had met that day to celebrate. He trusted that the Association would work strenuously and earnestly to achieve the necessary results. It was true that they had been a little quiet for some time past, but in future they would give a better account of themselves than they had done lately.

The Honorary SECRETARY then read the Report, which was as follows:—

Gentlemen,—Your committee have to lay before you the following report on the operations of the Association during the period from January, 1878, to the end of November, 1882. About the end of the year 1879 large portions of subscriptions were in arrears. Several attempts were made to collect them, and at last Mr. Dadabhai Naoroji having suggested that some remissions should be made, the committee adopted the view, and with Mr. Dadabhai's valuable help some part of the arrears has been realized. The honorary treasurer's report now laid before you shows the state of accounts. You are all aware of the Press Act passed in 1878 by the Council of the Governor-General during the *régime* of Lord Lytton. In July, 1878, your committee sent up a petition to Parliament asking for the total repeal of the Act. In July, 1880, they sent a petition to the Viceroy containing a similar prayer. It is now known to all that the Act was ultimately repealed in 1882, when the Marquis of Ripon had become the Viceroy and Governor-General of India. In the month of April, 1879, your committee forwarded to the Secretary of State for India a memorial regarding the abolition of import duties on cotton goods. The aboli-



tion of these duties has formed during a long period of time the most important subject of agitation by Manchester cotton merchants, and this Association has tried twice to prevent the accomplishment of the object in whatever shape it was presented. But the views of our Association and others have not succeeded, as in the last budget all the customs duties have been swept away. The effect of this measure will have to be carefully watched by all who have the good of India at heart. In April, 1880, your committee also forwarded a memorial to Parliament regarding the expenses of the Afghan war. That war was undertaken not really for any Indian interests, but for preserving the prestige and honour of England in Europe. Though such was the nature of the war, the late Conservative Ministry had resolved to burden India with its expenses. Against such an inequitable proceeding many voices were raised not only in India, but in Parliament itself. The bulk of the expenditure of the war has, however, been thrown upon the Indian exchequer. In the month of October, 1882, another petition of a similar nature was forwarded to Parliament by your committee. As you all well know, England interfered in the internal affairs of Egypt on account of a rebellion in that country which threatened to subvert the arrangements previously established there jointly by England and France. It is universally acknowledged that the rebellion, had it proved successful, would have radically affected the interests of European bondholders. But it also urged that the war in Egypt endangered the Suez Canal, and thereby threatened the communication of England with India. This consideration is put forward by her Majesty's Government in order to justify their proposal of throwing upon this country the cost of the contingent that was sent from here to Egypt to co-operate with the troops sent from England. Your committee have begged in that petition that Parliament, in the final determination of the question, should not allow Indian finances to be thus saddled, and they entertain a fervent hope that their prayer may be acceded to. The Government of India among several other resolutions during the past two years issued two resolutions on the subject of local self-government which are creating such a stir throughout the country. Your committee are of opinion that the measure is a most statesman-like one, and, if properly and loyally worked by the various local authorities, will ameliorate the general progress of the country in a very perceptible degree. With regard to this measure your committee have adopted on the 30th October, 1882, a resolution thanking the Governor-General in Council for the noble boon conferred upon the people of India, and also for the other beneficent measures for which

the Viceroyalty of Lord Ripon has already become so deservedly famous. Your committee also presented on the 31st October, 1882, an address to the Education Commission directing their attention to several important broad questions with reference to education in India. Your committee, finding the old rules of the Bombay Branch of the East India Association requiring some modifications so as to make them suit present circumstances, have made some alteration in them, and now submit the rules as revised for your confirmation. In the month of July last a Bill to amend the Abkari Act was passed through the Legislative Council of Bombay in the face of a very emphatic and universal condemnation of it by the public. The Bill went up to his Excellency the Governor-General in Council for assent, which, fortunately for this presidency, was not granted. On the 7th November, 1882, your committee sent up to the Viceroy a resolution of thanks on the subject. On the 27th November, 1882, your committee also appointed a sub-committee to consider, in view of the local self-government resolution of the Viceroy, the amendments of the Bombay Municipal Act which have been proposed and recommended to the Bombay Government by the Municipal Corporation. Further, with a desire to help in securing success to the resolution of local self-government as laid down by the Viceroy, your committee have entered into communication with other societies and associations that are working in direct connection with the districts for the purpose—viz., the Poona Sarvajanic Sabha and the Local Self-Government Central Committee for Gujarat, and have asked them in what way your committee could best co-operate with them. Your committee cannot close this report without recording their deep sense of the loss sustained by our Association in the departure to England from amongst us of Mr. W. Martin Wood, who throughout his connection with it worked with such zeal and efficiency that it will not be easy to supply his place. Your committee would also take this opportunity to express their regret at the death of Sir David Wedderburn, in whom not only has our parent Association lost a zealous worker, but India a true and energetic friend. Your committee take this opportunity of tendering their best thanks to the English and native journals of Bombay, who supply the Association with their papers, and give every help in publishing the proceedings of the branch.

The following report of the Honorary Treasurer was also read:—

Gentlemen,—I have the honour to submit, for the information of the members of the Bombay Branch of the East India Association, the following report relating to the income and expenditure of the

Association, from 1st January, 1878, to 31st December, 1881. On the 31st December, 1877, there was a balance of Rs. 5668-13, as under:—

Invested in 4½ per Cent. Government Promissory		
Notes of Rs. 5000 . . . . .	Rs. 5076	0 0
Balance in the National Bank of India . . . . .	527	14 7
Cash balance in hand on the 31st December, 1877	5	9 5
	<hr/>	
	Rs. 5609	8 0
Sundry dead stock, &c. . . . .	59	5 0
	<hr/>	
	Rs. 5668	13 0

To the above sum was added Rs. 3340, being the gross subscription collected from members of the Association, and interest received during the years under report, making a total of Rs. 9008-13, particulars as per audited yearly, statements of income and expenditure accounts annexed herewith. From this Rs. 2585 were paid on account of establishment, Rs. 720-11-6 for printing, advertisements, stationery, telegrams to London, and sundry expenses; and Rs. 84-12-9 for postage, &c.; making a total of Rs. 3390-7-3, leaving at the end of the year, 1881, a net balance of Rs. 5618-5-9 to the credit of the Association, as under, and showing a loss of Rs. 50-7-3 during the four years, or Rs. 12-9-4 every year.

Invested in reduced 4 per Cent. Government		
Promissory Notes of Rs. 5000 . . . . .	Rs. 5076	0 0
Balance in the National Bank of India . . . . .	386	13 1
Cash balance in hand on the 31st December, 1881	96	3 8
	<hr/>	
	Rs. 5559	0 9
Sundry dead stock, &c. . . . .	59	5 0
	<hr/>	
	Rs. 5618	5 9

I may here mention that out of the above balance Rs. 3000 were remitted to the parent Association on the 22nd February, 1882, which will appear in the accounts of the present year. In the year 1878 there were on the register of the Branch Association fifty-nine members paying Rs. 13½, six members paying Rs. 10, and forty-one members paying Rs. 3½ respectively per annum; making in all 106 members. Out of these twenty-two members paying Rs. 13½, two members paying Rs. 10, and 9 members paying Rs. 3½ per annum respectively (in all thirty-three members) resigned, leaving at the

end of the year 1881, on the register of this Association, thirty-seven members paying Rs. 13½, four members paying Rs. 10, and thirty-two members paying Rs. 3½ per annum respectively; making in all seventy-three members.

Mr. JAMESTJEE ARDESHIR DALAL, in moving the reception and adoption of the report, said it was owing to the Chairman's exertions that the number of members had increased to seventy-three. He trusted that greater interest would be manifested by the public in the Association, and that the numbers would continue to increase.

Mr. MUNCHERJEE BOMONJEE MORRIS seconded the resolution, which was carried.

The CHAIRMAN stated that since the drafting of the report there had been an accession of members, the number now being about 150.

On the motion of Mr. SORABJEE COWASJEE KHAMBATTA, seconded by Mr. BOMANJEE BYRAMJEE PATELL, the alterations made in the rules by the Managing Committee were confirmed.

Mr. KOYAJEE NUSSERWANJEE moved, and Mr. BOMANJEE PUNTHAKEY seconded, the election of Sir Munguldas Nathooobhoy as president, and the following gentlemen as vice-presidents for the ensuing year:—Mr. Byramjee Jeejeebhoy, Mr. Dinshaw Maneckjee Petit, Mr. Framjee Nusserwanjee Patel, Mr. Curstjee Nusserwanjee Cama, and Mr. Vnrjeevundas Madbowdas.

The following gentlemen were subsequently appointed to act on the Committee:—Mr. Ragbunath Narayan Khote, chairman; the Hon. Rao Saheb Vishwanath Narayan Mandlik, c.s.i., vice-chairman; Mr. Ardaseer Framjee Moos, honorary treasurer; Messrs. Kashinath Trimbak Telang and Dajer Abajee Kharé, honorary joint secretaries; Messrs. Atmaram Pandurang, Bala Mungesh Waglo, the Hon. Bndroodin Tyebjee, Messrs. Bomonjee Muncherjee Punthakoy, Byramjee Merwanjee Malhari, Dadabhai Naoroji, Dinsha Eduljee Wacha, Goculdas Jngmohundas, Gokuldas Kahandas Parekh, Dr. P. F. Gomes, Messrs. Javerilal Umiabanker Yajnik, K. R. Cama, Khunderao Chimenrao Bedarker, Kaikhoshro Nowrojee Kabrajee, K. M. Shroff, Nanabhoy Rustomjee Ranina, Nakoda Mahomed Ali Rogay, Rahimtoola Mahomed Sayani, Thakoredas Atmaram, and Shamrao Vittul.

The meeting terminated with a vote of thanks to the chairman.

TO HER MOST GRACIOUS MAJESTY VICTORIA, QUEEN  
OF THE UNITED KINGDOM OF GREAT BRITAIN AND  
IRELAND AND EMPRESS OF INDIA.

MAY IT PLEASE YOUR MOST GRACIOUS MAJESTY,

We, your Imperial Majesty's devoted subjects, the inhabitants of Bombay, in public meeting assembled at the invitation of the Bombay Branch of the East India Association, approach your Gracious Majesty's Throne, with feelings of deep loyalty and affection, with the following prayer:—

His Excellency the Most Noble the Marquis of Ripon, Viceroy and Governor-General of India, has already inaugurated a number of great and good measures, calculated to promote the happiness, prosperity, and elevation of your Imperial Majesty's Indian subjects. It is enough for us here simply to enumerate some of the more important ones, among which that of Local Self-Government is by far the most important. The progress and ultimate success of this great measure, —crowned by further concessions we expect—of the Legislative Councils being made truly representative, and of an adequate employment of native agency in the whole administration and government of India, will be the highest and noblest boon with which Britain can and will bless this Great Empire, earning its everlasting gratitude. Besides this noble scheme of Local Self-Government, there are others, proposed by His Excellency the Viceroy in Council: to develop the resources and industries of the country; to grant free, open, and adequate expression to public opinion in the consideration of legislative enactments; to ameliorate the present deplorable condition of the vast mass of our agricultural population by mild and suitable systems of assessments and agricultural banks; to promote popular education, &c., &c.

All these beneficent measures, for the very inauguration of which we are deeply grateful, and others of the same character which we hope for in the near future, require that the same benign and righteous representative of your Imperial Majesty, who has launched them, may have the time and opportunity, also, to watch, nurse, and develop them to complete practical success. We, your most Gracious Majesty's devoted and loyal subjects, therefore, at this earliest opportunity, pray humbly and earnestly, that, when the present term of the Viceroyalty of Lord Ripon expires, His Lordship may be graciously appointed again by your Imperial Majesty for another term of Vicerealty of this country.

And, as in duty bound, we shall ever pray.

DINSHAW M. PETIT, *Chairman.*

BOMBAY, 17th February, 1883.



## JOURNAL

OF THE

## EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

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THE DUMB SHALL SPEAK, AND THE DEAF SHALL HEAR; OR, THE  
RYOT, THE ZEMINDAR AND THE GOVERNMENT.

PAPER BY MISS FLORENCE NIGHTINGALE,  
READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON FRIDAY, JUNE 1, 1883.

THE RIGHT HON. SIR BARTLE FRERE, BART., K.C.B., G.C.S.I.,

IN THE CHAIR.

A LARGE MEETING of the members and friends of the East India Association was held on Friday afternoon, June 1st, 1883, in the Lower Hall, Exeter Hall, Strand, London, W.C., the subject for consideration being "The Land Question in India" as introduced in a paper by Miss Florence Nightingale, entitled "The Dumb shall Speak, and the Deaf shall Hear; or, the Ryot, the Zemindar, and the Government."

The Right Hon. Sir BARTLE FRERE, BART., K.C.B., G.C.S.I., occupied the chair, and amongst those present were the following:— Lord Stanley of Alderley; Sir William Wedderburn, Bart.; Sir George Birdwood, M.D., C.S.I.; Sir James Caird, K.C.B.; Sir George Campbell, K.C.S.I., M.P.; General Sir Arthur Cotton, R.E., K.C.S.I.; Sir Joseph Fayrer, K.C.S.I., M.D.; Sir William Rose Robinson, K.C.S.I.;

No. 3.—VOL. XV.

General F. Haig; Lieut.-General H. St. Clair Wilkins, R.E.; Major-General F. Applegath; Major-General G. Burn; Colonel R. M. Macdonald; Colonel Henry Yule, R.E.; Captain Douglas Galton; Captain W. C. Palmer; Rev. J. Bryant French; Rev. William Gray; Rev. James Johnston; Rev. A. Llewellyn; Rev. J. Long; Rev. C. M. Owen, M.A.; Rev. G. Small, M.A.; Professor Longmore; Mr. H. G. Keene, C.S.I.; Mr. Roper Lothbridge, C.S.I.; Mr. George Palmer, M.P.; Dr. Vincent Ambler; Dr. Chevers, C.I.E.; Dr. G. B. Clark; Dr. Crawford; Dr. C. W. De Lacy Evans; Dr. Frances Hoggon; Dr. Nash; Dr. Small; Mr. Aziz Ahmad; Mr. C. S. Appleton; Mr. A. Arathoon; Mr. C. W. Arathoon; Mrs. Ayres; Mrs. and Mrs. H. Vaughan Barber; Lady Ashburton and Hon. Miss Baring; Miss Barton; Mrs. Bailey; Miss H. M. Bitter; Mr. and Mrs. W. A. Blackmore; Mrs. Britzche; Mrs. and Miss Brownehead; Mirza Peer Buxhsh; Mr. Dadabhoy Byramjee; Miss Carnforth; Mr. J. Caspersz; Miss Caspersz; Mr. Cassels; Mr. C. E. Chapman; Miss Chevers; Mrs. F. W. Chesson; Mr. A. K. Connell; Mr. Henry H. Cooke; Mr. John Dacosta; Mr. Darnell Davis; Mr. C. Forjett; Miss Gowan; Mr. W. J. Grazebrook; Mr. Morton Green (Natal); Mr. Gregory; Miss Grove; Mrs. E. Hall; Mr. and Mrs. Hampton; Miss Harcastle; Mr. E. Hepburn; Mr. J. D. Hepburn; Mr. John Holt; Mr. R. Hughes; Mr. James Hutton; Mrs. A. Jones; Hamid Ali Khan; Mrs. Kitto; Mr. Arthur E. Lawson; Mr. Charles A. Lawson; Mrs. Liggins; Mrs. Littleton; Mr. Francis Lloyd; Mrs. Luke; Mr. J. Lyon; Miss C. Macdonald; Mr. Arthur Malet; Mr. W. J. Mills; Mr. J. E. Medi; Mr. J. Mylne; Mr. L. H. Mylne; Mr. W. Newton; Mrs. J. A. Owen; Mrs. G. Paddison; Mr. Richard Pearce; Miss Pearce; Mr. Pedder; Mr. J. Barr Robinson; Mr. and Mrs. C. S. Salmon; Mr. Trelawney Saunders; Mr. Scott Moncrieff; Mr. K. N. Serr; Mr. A. K. Settna; Mr. C. C. Shannon; Mr. and Mrs. John Shaw (Madras); Mr. C. S. Shepherd; Mr. Richard Sheward; Mr. and Mrs. Shoro Smith; Mr. S. Shore Smith; Mr. Sonthey; Mr. S. E. Steven; Mr. Summers; Mr. P. M. Tait; Mr. William Tebb; Mr. Tyabjee; Mr. W. S. W. Vaux; Mr. and Mrs. Fred. Verney; Mr. G. Walpole; Mr. Lowye; Mr. Wadia; M. William Welsh; Mr. D. S. White; Mr. W. S. Whitworth; Mr. W. Martin Wood; Miss L. M. Wood; Mr. W. Hamilton Burn (Secretary).

In opening the proceedings the CHAIRMAN (Sir BARTLE FRERE) said: Ladies and gentlemen,—We are met to-day to hear a paper with which Miss Nightingale has favoured the Association. It is entitled, “The Dumb shall speak, and the Deaf shall hear; or the Ryot, the Zemindar, and the Government.” The title of the paper, I think,

explains sufficiently what the subject is to be. It is to be, not a question of the deaf and dumb in any physical sense, but a discussion upon one of the greatest questions which can possibly interest India or England—the condition of the landed classes and those who hold under them in Bengal. The paper will be read to you by Mr. Verney, and I need not say by way of introduction of him any more than to assure the meeting that he will do full justice to the paper of the illustrious lady with whom he is connected. After he has read what can be laid before you this afternoon, I trust we shall have some useful discussion on the subject of the paper.

Mr. FREDERICK VERNEY (in the absence of Miss Nightingale, owing to ill-health) then read a summary of the paper which is annexed.

### BENGAL LAND QUESTIONS.

INTERESTS SO LARGE THAT WE ARE NOT INTERESTED IN THEM.

THE time has now come. A tremendous wave is rolling over India—India which we cannot colonize, and which, unlike the colonies, has the Land Question in all its intensity. The new Bengal Rent Law Bill is afloat—a measure which will decide the fortunes of the Bengal agricultural classes for the next century almost as completely as the Permanent Settlement has done for the past. It is from the growing discontent of the country so urgent that we do not care for it. This is no paradox: the interests involved are so enormous that we prefer to turn away our head, saying that we cannot understand them. We will not look them in the face; we shut our eyes; they are too big for our vision.

The Land Question in India dwarfs all others in importance, because India, unlike England, is almost solely an agricultural country.\* “The Hindus,” says the Permanent Settlement, “are compelled by the dictates of religion to depend solely upon the produce of the lands for subsistence.” The suffering or happiness of tens of millions is what

\* 90 per cent. of the rural and 80 per cent. of the total population of India are agricultural.

Estimating the adult men of India at 62 millions, of these 31½ millions are returned as agricultural, or 56.2 per cent., besides large numbers of women and children; besides 7½ millions of agricultural labourers, or 12.3 per cent.

Three classes—potters, weavers, and beggars (one million)—with the labourers, numbers 13 millions of adult males, and represent a population of 40 millions, or about one-fifth of the whole population. They are always the first to fall in famine. The next class above is that of the small tenants, little better off than the labourers, and only next to fall.



we have to deal with when we speak of land in India. For years and years every month has been ontangling and increasing the confusion and the problems to be solved; for years and years every month has added alike to the difficulty and the necessity of solving them. There must be some further step in our relation to the Indian Land Questions—in the relations between the West and the East. They cannot remain stationary. What is it to be?

#### DIFFICULTY BY DELAY BECOMES IMPOSSIBILITY IN SOLVING BENGAL LAND QUESTIONS.

At last the difficulty can no longer be staved off; at last an Act can no longer be delayed, both lest difficulty become impossibility, and lest cultivators, sometimes expressing themselves in agrarian riots, murders, and always in litigation, should altogether take the matter into their own hands.

Now is the hour.

The Viceroy, the Government of India, the Government of Bengal, the Government of India at home—all have their attention seriously fixed on it. Reports upon reports and draft bills on draft bills have been issued.

Everything is ripe.

The English in England have too long said, What is the use of taking up this abstract question? The English in India reply, It has come to the front.

The leader of public opinion here has taken it up.\*

The spirit of the day is with us.

\* *The Times* of November 13, 1882, has so masterly an article on this subject that we cannot but quote it. It says that we are now "concerned with questions which touch the very foundations of society," "questions of enormous difficulty as well as of enormous importance," and that we "must rejoice that the Government of India is making an honest and earnest effort to settle them." "The British raj will be weighed in the same scales as the dynasties it has supplanted, and if found wanting will share their fate." "The impoverishment of the Indian cultivator" is discussed, and it is said "that, in varying degrees," "life has been made harder for the tillers of the soil by a Government which has honestly laboured to benefit them, and has, in fact, removed or mitigated many grievous evils formerly suffered by them. . . . Where once land competed for cultivators, cultivators now compete for land." . . .

"But these unavoidable difficulties, inhering in the very nature of our civilization, are aggravated by causes due to, and therefore removable by, legislation."

"The Bengal Rent Bill is an attempt to deal with the evils which have grown during the last ninety years out of one of the most remarkable blunders ever made by well-meaning rulers. When the East India Company sought to place the revenue of Bengal upon an intelligible and satisfactory footing, it found itself confronted

SPIRIT OF THE DAY ALL FOR IMPROVING CONDITION OF PEASANTRY.

The spirit of the day all tends to improving the condition of the masses, and above all of those hitherto escaping observation—the peasantry—all over Europe. India, almost as big and as thickly populated as Europe, is nearly all peasantry.

In Europe we have been working up to this climax. Had it not

with a mass of customary rights of the most intricate kind, based upon a general principle quite incomprehensible to the Englishman of that generation. Between the actual cultivator and the sovereign there was no one possessing rights over the soil. The revenue consisted of the rent, and the occupier, so long as he paid the stipulated sum, had an indefeasible title. A land system without a landlord appeared so strange an anomaly that the first thing the officials of the day did was to cast about for some set of men of which to create a landlord class. After much sadly misused research, they came to the conclusion that the zemindars, or tax-farmers of the old régime, were the proper persons to erect into the missing class. Although, theoretically, these revenue-collectors had no rights over the land beyond that of collecting rent and retaining for themselves a certain fixed allowance, they had, through the laxity or weakness of the rulers, acquired great weight and influence. They exacted, as tax-farmers in the East invariably do, a great deal more than their legitimate claims, and they probably paid in many cases a great deal less to the exchequer than the area under their management ought to have produced. They were able to make themselves heard, and they bore a superficial resemblance to the English landlord. Lord Cornwallis accordingly made them the corner-stone of his system by declaring them owners in perpetuity of the land they formerly farmed. . . . The ryots were known to have rights of an extensive kind, but it was assumed . . . that the pleasant relations obtaining between English landlords and tenants would spring up in Bengal, and that a fair rent would be settled by contract. The zemindars very shortly began to employ the vast powers thus left at their disposal, as well as to sub-let their rights to men who pressed them even more harshly, and soon it was found that the condition of the agriculturist was becoming deplorable. Power had, however, been very carefully reserved, in the regulations by which the Permanent Settlement was carried out, for the Government of India to interfere for the preservation of the ancient rights of the cultivators. In virtue of that power attempts were made from time to time to protect the ryots from the effects of unlimited competition; but the difficulty of discovering their actual rights was further complicated by the artificial system grafted upon the old customs, and the principal result of the Acts passed for their benefit has been to make the relations between landlord and tenant more and more bewildering. The Bengal Rent Act now under consideration is an attempt to revert, in some degree, to the original land tenure of the country. . . . It need not be said that such an attempt now wears the aspect of interference with private property. The zemindars are in possession of rights conferred upon them by ourselves, but which were not ours to confer. . . . The Chief Justice of Bengal takes the view natural to a Conservative lawyer. The proposed interference with vested rights appears to him a ruinous policy of confiscation. But the vested rights of the ryots are older, greater, and more important to the State than those of the zemindars. The great injustice of the Permanent Settlement must be remedied under terrible penalties for those we govern and for ourselves."

been for the emancipation of the peasants in Germany during Napoleon's time, would Germany ever have been what it is?

Then there is Russia's emancipation of the serfs in 1861, though as yet it has not done all it ought.

France has vastly multiplied her peasant proprietors. Spain and Portugal have thrown off their ancient customs of entail and primogeniture. Ireland has its Lend Act.

ADVANTAGE TO BENOA LANDLORD OF PROPOSED NEW BILL AS WELL AS TO CULTIVATOR IN REALLY CARRYING OUT PERMANENT SETTLEMENT.

And even in India something has been done. *E.g.*, in Bengal the Act of 1859 and other similar enactments for the ryots, but still insufficient. Could the Land Question but be really well settled in Bengal, could the Permanent Settlement\* of 1793 but be really carried out, what an advantage to both zemindar (landowner) and ryot (cultivator): to the zemindar in giving him a contented and thriving peasantry, instead of one often on the verge of starvation, always on the verge of refusing to pay rent at all; to the ryot in securing him such rights as will prevent the oppressions by which "the relations between the landlord and tenant are strained to the utmost degree," and the general discontent which will go on increasing "till the amendment of the rent laws lays the foundation for a better state of things."

If not, what a future of trouble, ending we know not how, not only for Bengal, but for India!

THE NIGHT IS FAR SPENT. THE DAY IS AT HAND.

And there is not an hour to be lost.

It has been truly said that it is not despair, not utter want and misery, which leads to revolution: it is the gradual awakening from this state to know our higher wants. Education commissions, local self-government schemes, show which way the tide is turning. The ignorant ryot is learning his rights; he is learning that a higher rent

\* To study this Permanent Settlement of 1793, is to receive a revelation of rights we knew not of. And therefore I shall make no apology for giving copious extracts from it in notes. Much of the first part about improvements and security would seem to apply to the ryots now instead of to the zemindars. "We are yours but the land is ours," says the Russian peasant.

† Who is a ryot?

The Rent Law Bills' definition is:—A tenant who holds land for purposes of agriculture, horticulture, or pasture, or who has come into possession for such purposes.

A tenant may be a tenure-holder, a ryot, or a person holding under a ryot.

cannot be legally demanded than that entered in the road-cess registers.

But ahwabs or illegal exactions are levied instead of or over and above enhanced rents. Cesses are not calculated on the ahwabs, but on the rent. "And in this way the arrangement is used to reduce "the Government demand."

And what is to come of this?

CORROBORATION AND CORRECTION ALIKE INVITED.

It seems almost an impertinence to lay my facts before any who have been in India—which I have not—and who may even have seen great service in India; but what I have to try to state on these vast questions rests upon a mass of documentary evidence which few in India and very few in England have seen. India has been familiar to me for more than twenty years from documents—the plain unvarnished evidence of plain witnesses.

I do most earnestly beg alike for support and friendly opposition—alike for corroboration and correction—from those who know India, perhaps by their own splendid services.

PRESENT CONDITION OF RYOTS IN BENGAL, AND FIRST AS TO LAND TENURE AND PERMANENT SETTLEMENT, OR RATHER VIOLATION OF PERMANENT SETTLEMENT.\*

(1) In what sense are the zemindars to be understood at all as proprietors, landlords, landowners?

The answer to this question is simple. The zemindars were not originally proprietors or landlords; and it may be shown beyond

\* It will be remembered what the Regulations of the Permanent Settlement were, but it may be useful here to insert in notes some of its principal provisions.

"A.D. 1793. REGULATION II.

"In the British territories in Bengal, the greater part of the materials required for the numerous and valuable manufactures and most of the other principal articles of export are the produce of the lands; it follows that the commerce and consequently the wealth of the country must increase in proportion to the extension of its agriculture. But it is not for commercial purposes alone that the encouragement of agriculture is essential to the welfare of these provinces. *The Hindus who form the body of the people are compelled, by the dictates of religion, to depend solely upon the produce of the lands for subsistence*; and the generality of such of the lower orders of the natives as are not of that persuasion are from habit or necessity in a similar predicament.

"The extensive failure or destruction of the crops that occasionally arises from drought or inundation is in consequence invariably followed by famine, the ravages of which are felt chiefly by the cultivators of the soil and the manufacturers, from

contradiction that they were not made so by the Permanent Settlement in the feudal sense of absolute owners of the soil.

What were they made? "Persons empowered, under certain very rigid restrictions, to receive from the occupants of the soil a whose labours the country derives both its subsistence and wealth. Experience having evinced that adequate supplies of grain are not obtainable from abroad in seasons of scarcity, the country must necessarily continue subject to these calamities until the proprietors and cultivators of the lands shall have the means of *increasing the number of the reservoirs, embankments, and other artificial works*, by which, to a great degree, the untimely cessation of the periodical rains may be provided against, and the lands protected from inundation; and, as a necessary consequence, the stock of grain in the country at large shall always be sufficient to supply those occasional but less extensive deficiencies in the annual produce which may be expected to occur notwithstanding the adoption of the above precautions to obviate them. To effect these improvements in agriculture which must necessarily be followed by the increase of every article of produce, has accordingly been one of the primary objects to which the attention of the British Administration has been directed in its arrangements for the internal government of these provinces. As being the two fundamental measures essential to the attainment of it, the property in the soil has been declared to be vested in the landholders, and the revenue payable to Government from each estate has been fixed for ever.

"These measures have at once rendered it the interest of the proprietors to improve their estates, and give them the means of raising the funds necessary for that purpose. The property in the soil was never before formally declared to be vested in the landowners, nor were they allowed to transfer such rights as they did possess or raise money on the credit of their tenures without the previous sanction of Government. With respect to the public demand upon each estate, it was liable to annual or frequent variation, at the discretion of Government. The amount of it was fixed upon an estimate formed by the public officers of the aggregate of the rents payable by the ryots or tenants for each *beguh* of land in cultivation, of which, after deducting the expenses of collection, *ten-elevenths were usually considered the right of the public, and the remainder the share of the landholder*. Refusal to pay the sum required of him was followed by his removal from the management of his lands, and the public dues were either let in farm or collected by an officer of Government, and the above-mentioned share of the landholder, or such sum as special custom or the orders of Government might have fixed, was paid to him by the farmer or from the public treasury. When the extension of cultivation was productive of only a heavier assessment, and even the possession of the property was uncertain, the hereditary landholder had little inducement to improve his estate, and moneyed men had no encouragement to embark their capital in the purchase or improvement of land, whilst not only the profit, but the security for the capital itself was so precarious. The same causes, therefore, which prevented the improvement of land, depreciated its value. Further measures, however, are essential to the attainment of the important object above stated. All questions between Government and the landholders respecting the assessment and collection of the public revenue and disputed claims between the latter and their ryots, or other persons concerned in the collection of their rents, have hitherto been cognizable in the Courts of *Maal Adawlut* or Revenue Courts.

"The collectors of the revenue preside in these courts as judges, and an appeal

fixed rental, settled by the Government on ascertained principles." "Neither by the terms of the original settlement and original laws of these provinces, nor by modern laws, are zemindars unlimited proprietors, or ryots without rights or claims to protection."\*

lies from their decision to the Board of Revenue, and from the decrees of that Board to the Governor-General in Council in the Department of Revenue. The proprietors can never consider the privileges which have been conferred upon them as secure whilst the revenue officers are vested with these judicial powers. Exclusive of the objections arising to these courts from their irregular summary and often *ex parte* proceedings, and from the collectors being obliged to suspend the exercise of their judicial functions whenever they interfere with their financial duties, it is obvious that if the regulations for assessing and collecting the public revenue are infringed, the revenue officers themselves must be the aggressors, and that individuals who have been wronged by them in one capacity can never hope to obtain redress from them in another. Their financial occupations equally disqualify them for administering the laws between the proprietors of land and their tenants. Other security, therefore, must be given to landed property, and to the rights attached to it, before the desired improvements in agriculture can be expected to be effected. Government must divest itself of the power of infringing, in its executive capacity, the rights and privileges which, as exercising the legislative authority, it has conferred on the landholders.

"The revenue officers must be deprived of their judicial powers. All financial claims of the public, when disputed under the regulations, must be subject to the cognizance of courts of judicature, superintended by judges who, from their official situations and the nature of their trusts, shall not only be wholly uninterested in the result of their decisions, but bound to decide impartially between the public and the proprietors of land, and also between the latter and their tenants.

"The collectors of the revenue must not only be divested of the power of deciding upon their own acts, but rendered amenable for them to the courts of judicature, and collect the public dues subject to a personal prosecution for every exaction exceeding the amount which they are authorized to demand on behalf of the public, and for every deviation from the regulations prescribed for the collection of it. No power will then exist in the country by which the rights vested in the landholders by the regulations can be infringed, or the value of landed property affected. Land must, in consequence, become the most desirable of all property, and the industry of the people will be directed to those improvements in agriculture which are as essential to their own welfare as to the prosperity of the State. The following rules, being the rules passed for the guidance of the directors and the Board of Revenue on June 8th, 1787, and April 25th, 1788, with alterations adapted to the principles above stated, have been accordingly enacted.

\* The Code of 1793 recognized in the "fullest manner the rights of the ryots to hold at the established rates, and to be freed from abwabs, these vexatious imposts over and above the public revenue or rent; and that Code is full of provisions and declarations making it clear that the intention of the framers was by no means to abstain from interference between zemindars and ryots. On the contrary, the duty of protecting the lower mass of the community—the ryots—was recognized and asserted by the Government of that day in the amplest manner. . . . Rather would it be a ground of reproach to the Government if under such circumstances it should fail to interfere effectually."

(2) What was the "contract" made, and with whom, by the Permanent Settlement? And has it been kept?\*

\* "A.D. 1793. REVOLUTION I.

*"Assessment in former times liable to variation at the discretion of the Government.*

"VII.—ARTICLE VI. It is well known to the zemindars, independent talookdars, and other actual proprietors of land, as well as to the inhabitants of Bengal, Behar, and Orissa in general, that from the earliest times unto the present period the public assessment upon the lands has never been fixed, but that, according to established usage and custom, the rulers of these provinces have from time to time demanded an increase of assessment from the proprietors of land; and that, for the purpose of obtaining this increase, not only frequent investigations have been made to ascertain the actual produce of their estates, but that it has been the practice to deprive them of the management of their lands, and either to let them in farm or to appoint officers on the part of Government to collect the assessment immediately from the ryots."

*Motives of the Court of Directors for abolishing the usage and fixing the assessment which is declared unalterable by any future Government.*

"The Honourable Court of Directors, considering these usages and measures to be detrimental to the prosperity of the country, have, with a view to promote the future ease and happiness of the people, authorized the foregoing declarations; and the zemindars, independent talookdars, and other actual proprietors of land with or on behalf of whom a settlement has been or may be concluded, are to consider these orders fixing the amount of assessment as irrevocable and not liable to alteration by any persons whom the Court of Directors may hereafter appoint to the administration of their affairs in this country."

*Proprietors expected to improve their estates in consequence of the profits being secured to them. [But when ryots are left to improve their land, the profits are not secured to them. Ryots are "expected to improve their lands" in consequence of the profits not being secured them.—AUTHOR'S NOTE.]*

"The Governor-General in Council trusts that the proprietors of land, sensible of the benefits conferred upon them by the public assessment being fixed for ever, will exert themselves in the cultivation of their lands, under the certainty that they will enjoy exclusively the fruits of their own good management and industry, and that no demand will ever be made upon them, their heirs and successors, by the present or any future Government, for an augmentation of the public assessment in consequence of the improvement of their respective estates."

*Conduct to be observed by the proprietors of land towards their dependent talookdars and ryots.*

"To discharge the revenues at the stipulated periods without delay or evasion, and to conduct themselves with good faith and moderation towards their dependent talookdars and ryots, are duties at all times indispensably required from the proprietors of land, and a strict observance of those duties is now more than ever incumbent on them in return for the benefits which they will themselves derive from the orders now issued. The Governor-General in Council therefore expects that the proprietors of land will not only act in this manner themselves towards their

1st point. There are to be no cesses, i.e. no arbitrary taxes levied at the pleasure of the zemindar.\*

What is the fact?

dependent takooldars and ryots, but also enjoin the strictest adherence to the same principles in the persons whom they may appoint to collect the rents from them." [Have they done this?]

*No claims for remissions or suspensions be admitted on any account.*

*Lands of proprietors to be invariably sold for arrears.*

"He further expects that, without deviating from this line of conduct, they will regularly discharge the revenue in all seasons; and he accordingly notifies to them, that, in future, no claims or applications for suspensions or remissions, on account of drought, inundation, or other calamity of season will be attended to, but that in the event of any zemindar, independent talookdar, or other actual proprietor of land with or on behalf of whom a settlement has been or may be concluded, or his or her heirs or successors, failing in the punctual discharge of the public revenue which has been or may be assessed upon their lands under the above-mentioned regulations, a sale of the whole of the lands of the defaulter, or such portion of them as may be sufficient to make good the arrear, will positively and invariably take place."

\* REGULATION VIII.

*Further rules to prevent undue exactions from the talookdars.*

*Proprietors not to demand an increase from talookdars, excepting in the cases herein specified.*

"LI. The following rules are prescribed to prevent undue exactions from the dependent talookdars:—

"First. No zemindar or other actual proprietor of land shall demand an increase from the talookdars dependent on him, although he should himself be subject to payment of an increase of jumma† to Government, except upon proof that he is entitled so to do, either by the special custom of the district, or by the conditions under which the talookdar holds his tenure; or that the talookdar by receiving hutements from his jumma has subjected himself to the payment of the increase demanded, and that the lands are capable of affording it."

*Penalty for proprietors making exactions from talookdars.*

"Second. If in any instance it be proved that a zemindar or other actual proprietor of land exacts more from a talookdar than he has a right to, the court shall adjudge him to pay a penalty of double the amount of such exaction, with all costs of suit to the party injured."

*Proprietors and farmers of land prohibited imposing any new abwab or mhatoot on the ryots, and penalty in case of disobedience.*

"LV. No actual proprietor of land or dependent talookdar or farmer of land of whatever description shall impose any new abwab or mhatoot upon the ryots under any pretence whatever. Every exaction of this nature shall be punished by a penalty equal to three times the amount imposed; and if at any future period it be discovered that new abwab or mhatoot have been imposed, the person imposing the same shall be liable to this penalty for the entire period of such impositions."

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† Jumma=Amount of rent or revenue payable, including all cesses, as well as land-tax.



2nd. The revenue or taxes are to be paid by the zemindar, and not out of the rent.

How has this been observed?

3rd. The zemindars are not to raise their rents; and on this condition the revenue or taxes on them are not to be increased.

What do the official reports tell us about this?

4th. The zemindar is to undertake roads, lessor public works, &c. Has he done so?

Does he not rather avail himself of public works undertaken by the Government as a reason for raising his rents?

But, 5th, the ryot was to have redress in case of exaction. He often fails to obtain redress.

6th. The Governor-General promises regulations for the protection of the cultivators of the soil. Were they ever fully carried out?

7th. The zemindar was to give leases. But are genuine leases granted? Or is there any proper system of sub-letting?\*

#### \* REGULATION VIII.

*Ryots may demand pottahs † of proprietors of land and farmers who are also required to grant them.*

*Penalty in case of refusal.*

"LIX. A ryot when his rent has been ascertained and settled, may demand a pottah from the actual proprietor of land, dependent talookdar, or farmer of whom he holds his lands, or from the person acting for him; and any refusal to deliver the pottahs, upon being proved in the Court of Dewanny Adawlut of the zillah, shall be punished by the court by a fine proportioned to the expense and trouble of the ryot in consequence of such refusal. Actual proprietors of land, dependent talookdars, and farmers are also required to cause a pottah for the adjusted rent to be prepared and tendered to the ryot, either granting the same themselves, or entrusting their agents to grant the same.

*Restrictions on farmers and agents in granting pottahs.*

"No farmer, however, without special permission from the proprietor of the lands, or (if the lands form part of a dependent talook) the dependent talookdar shall grant a pottah extending beyond the period of his own lease, nor shall any agent grant a pottah without authority from the proprietor or dependent talookdar or the manager of disqualified proprietors.

*All existing leases to under-farmers and ryots to remain in force until the period of their expiration.*

*Exception to the rule.*

"LX. First. All leases to under-farmers and ryots made previous to the conclusion of the settlement, and not contrary to any regulation, are to remain in force until the period of their expiration unless proved to have been obtained by collusion or from persons not authorized to grant them."

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† Pottah=Deed of lease.

(3) Can the restoration of the rights of the ryots, whether original or acquired under the present Settlement, be deemed "confiscation," as it is often called?

# ILLEGAL EXACTIONS BY ZEMINDARS.

The Government accepted the right and duty "as Sovereign" of "interposing its authority from time to time" as might be necessary "to prevent the ryots being improperly *disturbed in their possessions*," "or loaded with unwarrantable exactions," those exactions being any further demand, either by way of enhancement or cesses, beyond a definite prescribed rental described as the "pergunnah rate," and those disturbances being attempted objectment.

In No. 46 of the "Records of the Government of Bengal," November, 1871, we find:—

"Not only is it the duty of the Government to protect all classes "of the people, and especially those who, from their situation, are most. "helpless"—a duty the performance of which they have specially

*No proprietor of land or dependent talookdar or farmer of land, shall cancel the pottahs of Khood Kasht ryots,† except in certain specified cases.*

"Second. No actual proprietor of land or farmer, or persons acting under their authority, shall cancel the pottahs of the Khood Kasht ryots except upon proof that they have been obtained by collusion; or that the rents paid by them within the last three years have been reduced below the rate of nirkbundy of the pergunnah, or that they have obtained collusive deductions, or upon a general measurement of the pergunnah for the purpose of equalizing and correcting the assessment. The rule contained in this clause is not to be considered applicable to Behar."

*Time allowed to proprietors of land and dependent talookdars and farmers of land to prepare and deliver pottahs to the ryots.*

*Claims on engagements contrary to those ordered, how to be considered and decided on.*

"LXI. The proprietors of estates and the dependent talookdars and farmers of land in Bengal are allowed until the end of the Bengal year 1198, and those in Behar and Orissa until the end of the Fassily and Wallait year 1198, to prepare and deliver pottahs to the ryots in conformity to the preceding rules (but after the expiration of the year 1198 no engagements for rents, contrary to those ordered, are to be held valid); and in the event of any claims being preferred by proprietors of estates or dependent talookdars, farmers, or ryots, on engagements wherein the consolidation of the assul, abwab, &c. shall appear not to have been made, they are to be non-suited, with costs."

\* Regulation I, embodying the famous proclamation of Lord Cornwallis to the zemindars in 1793.

# "A.D. 1793. REGULATION I OF PERMANENT SETTLEMENT.

*Government to enact such regulations as they may think necessary for the welfare of the dependent talookdars and cultivators, and proprietors: not to withhold the revenue on that account.*

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† Khood Kasht raiet—a cultivator of his own hereditary land—a resident ryot.

"reserved to themselves as a condition of the Permanent Settlement—  
 "but it is also their interest to carry out that duty, because the extent  
 "to which the burden, not only of the taxation, which should properly  
 "fall in certain specified proportions on different classes of the com-  
 "munity, but even of the actual personal expenses of the proprietors, is  
 "thrown indiscriminately upon the lowest class, and that the least able  
 "to support it, must of course interfere greatly with the legitimate  
 "power of Government to impose fresh taxes, and such undue and

"VIII.—ARTICLE VII. To prevent any misconstruction of the foregoing articles, the Governor-General in Council thinks it necessary to make the following declarations to the zemindars, independent talookdars, and other actual proprietors of land.

"First. It being the duty of the ruling power to protect all classes of people, and more particularly those who from their situation are most helpless, the Governor-General in Council will, whenever he may deem it proper, enact such regulations as he may think it necessary for the protection and welfare of the dependent talookdars, ryots, and other cultivators of the soil, and no zemindar, independent talookdar, or other actual proprietor of land, shall be entitled on this account to make any objection to the discharge of the fixed assessment which they have respectively agreed to pay."

[And this, it will be observed, precedes, not follows, the "Declaration" given in note 2, p. 4. The protection of the ryots comes first.]

*All internal duties that may be hereafter established to belong exclusively to Government.*

"Second. The Governor-General in Council having on July 28, 1790, directed the sayer\* collections to be abolished, a full compensation was granted to the proprietors of land for the loss of revenue sustained by them in consequence of this abolition; and he now declares, that if he should hereafter think it proper to re-establish the sayer collections, or any other internal duties, and to appoint officers on the part of Government to collect them, no proprietor of land will be admitted to any participation thereof, or be entitled to make any claims for remissions of assessment on that account."

*Jumma that may be assessed or alienated lands to belong exclusively to Government.*

"Third. The Governor-General in Council will impose such assessment as he may deem equitable on all lands at present alienated and paying no public revenue, which have been or may be proved to be held under illegal or invalid titles. The assessment so imposed will belong to Government, and no proprietor of land will be entitled to any part of it."

*Police allowances in land or money received by proprietors whose jumma is declared fixed, resolvable by Government.*

"Fourth. The jumma of those zemindars, independent talookdars, and other actual proprietors of land, which is declared fixed in the foregoing articles, is to be considered entirely unconnected with and exclusive of any allowances which have been made to them in the adjustment of their jumma, for keeping up tannahst or

\* Sayer=all other sources of revenue besides the land tax.

† Tannahst=police jurisdictions.

“illegal pressure on the part of the zemindars on the great and indigent mass of the people, must be attended with great and imminent perils of a political character.”

It is the Government which says this. “Such considerations fully warrant the interference of Government in view to correct the admitted insufficiency of the existing laws enacted for the protection of the inferior tenantry of the country.”

police establishments, and also of the produce of any lands which they may have been permitted to appropriate for the same purpose; and the Governor-General in Council reserves to himself the option of resuming the whole or part of such allowances or produce of such lands according as he may think proper in consequence of his having exonerated the proprietors of land from the charge of keeping the peace, and appointed officers on the part of Government to superintend the police of the country.”

*Allowances that may be so resumed not to be added to the jumma, but to be collected separately and applied solely to the police.*

“The Governor-General in Council, however, declares that the allowances or produce of lands which may be resumed will be appropriated to no other purpose but that of defraying the expense of the police; and that instructions will be sent to collectors, not to add such allowances or the produce of such lands to the jumma of the proprietors of land, but to collect the amount from them separately.”

*Estates of disqualified proprietors not liable to sale for arrears of assessment accruing whilst they are deprived of the management of them.*

“Fifth. Nothing contained in this proclamation shall be construed to render the lands of several descriptions of disqualified proprietors specified in the first article of the regulations regarding disqualified landholders, passed on July 15, 1791, liable to sale for any arrears which have accrued or may accrue on the fixed jumma that has been or may be assessed upon their lands under the above-mentioned regulations for the decennial settlement; provided that such arrears have accrued or may accrue during the time that they have been or may be dispossessed of the management of their lands under the said regulations of July 15, 1791. It is to be understood, however, that whenever all or any of the descriptions of disqualified landholders specified in the first article of the last-mentioned regulations shall be permitted to assume or retain the management of their lands in consequence of the ground of their disqualification no longer existing, or of the Governor-General in Council dispensing with, altering, or abolishing those regulations, the lands of such proprietors will be held responsible for the payment of the fixed jumma that has been or may be assessed thereon, from the time that the management may devolve upon them, in the same manner as the lands of all actual proprietors of land who are declared qualified for the management of their estates, and also of all actual proprietors who are unqualified for such management by natural or other disabilities, but do not come within the descriptions of disqualified landholders specified in the first article of the regulations of July 15, 1791, are and will be held answerable for any arrears that are or may become due from them on the fixed jumma which they, or any persons on their behalf, have engaged or may engage to pay, under the above-mentioned regulations for the decennial settlement.”

In one of those invaluable administrative reports of Sir George Campbell (1873), too little known, or rather not at all known among the ordinary public in England, we find :—

"The Lieutenant-Governor's attention was prominently called to the subject by the Magistrate-Collector of Balasore, in Orissa, where the system is peculiarly inexcusable, because in that province there is not the ordinary zemindari tenure of Bengal.\* There all the old ryots have long leases from the Government direct, and the zemindars are still in respect of them mere rent collectors, who have not the shadow of a right of any enhanced rent. Yet it was shown that they exacted *eleven* different kinds of annual cess, besides *seventeen* descriptions of occasional tax. Among the former were cesses to recoup themselves for the postal payments, cesses on account of the telegraph wire running through their estates (a pure imposition, as this cost them nothing), cesses to reimburse them for income tax, and so on. There were presents exacted for the zemindari underlings, presents very compulsory in their nature, on every occasion of a zemindar moving from home, or of a magistrate travelling through the estate, on account of *fictitious expenses* that were never incurred."

It is the Government that say this.

So far for Orissa.

In "Selections from the Records of the Government of Bengal," we find, referring particularly to Burdwan, Rajshaye, Cooch Behar, Dacca, Chittagong, Patna, Bhagulpur, Chota Nagpur, Assam, and Presidency Division, &c., that it is "clear that, in spite of the law, cesses in large numbers are levied from ryots by *almost every zemindar in the country*; the fact being that owing to the absence of sufficient agency in Bengal, those parts of the regulations which give rights and privileges to zemindars have not only been maintained, but stretched to the utmost, while those parts which restrained them and limited their rights have been utterly set at naught."

We read of "duress or violence used by zemindars to enforce illegal cesses," &c.

Among the "ahwabs," or "illegal cesses," we find :—

"A charge for providing bracelets for the ladies of the zemindar's family."

[There is no "charge" for "providing" (not "bracelets," but) cloth-

\* "His Honour (Sir G. Campbell) believes that up to the time of the settlement under Regulation IX, of 1833, many of them (zemindars) had no such rights (proprietary), but were sarbarakars or managers on behalf of Government, and that only."

"ing for the ryot and the ryot's wife coming out of their close hut, "half-starved and half-clothed, into the morning air and shivering with fever; nor for food, nor anything else for the sick.

The charity or relief extorted is from the ryots to the zemindar's ladies.]

We find "a cess levied by zemindars on their visiting their estates." [What do they do "on visiting their estates" for their ryots?]

"A charge on boats, a sort of landing fee."

"Presented to zemindars by washermen," "by barber," "by sweeper." [Do we English in England know what this "sweeper" who has "*presents*" "levied" upon him?] And all these are ANNUAL.

NOT HE WHO EATS, BUT HE WHO IS EATEN, PAYS.

One of these is "for eating mangoes by ZEMINDARS" (not by those who pay).

Another, for "use of tooth powder by zemindar."

A "marriage cess" is general.\*

In "Selections from the Records of the Government of Bengal," we find, for the Presidency Division—that is, close to the head-quarters of the English powers at Calcutta which created these zemindars *under special conditions* :—

"A contribution made to the zemindar when he is involved in "debt requiring speedy clearance."

[The ryot is *always* "in debt;" often compelled to work all his life in bondage to the usurers for his father's debts. No one contributes for him.]

"On occasions of religious ceremonies in the zemindar's house."

"On the occasion of the audit of his own accounts."

"Forced labour exacted from the ryots without payment."

THE RYOT SEEMS ALWAYS TO PAY, AND NOT OFTEN TO BE PAID.

He pays on his own marriage, he pays on his son's marriage, he pays on his daughter's marriage, he pays on his second marriage (if he is of low caste and marries a second time), he pays on the zemindar's marriage, he pays on the zemindar's son's marriage, he pays on the "Gomastah's (agent's) son's" or "Gomastah's daughter's" marriage, he pays on the zemindar's son's birth, he pays on the "zemindar's son's" "first taking rice," he pays on the zemindar's funeral, he pays on his own "ploughing of land," he "pays to the zemindar on his

\* Some of these abwabs, or illegal cesses levied by the zemindars, are "general;" others are levied by "some" zemindars; others by "many;" others are levied, one by this, another by the other zemindar; none by none, as one may say.

"making a tour through his estates,"\* he pays for being "permitted to perform puja or any festival" himself, he pays equally for the zemindar performing puja, he pays a tax for "presents to fakirs," the very drum pays for being beat "at processions, marriages, and feasts."

When "a farmer" takes a lease, he does not pay a fee: he "levies a fee at heavy rates."

The ryot "takes rice, fish, and other articles of food on occasions of feasts in zemindar's house."

Then come the "fines."

The very "hides from the carcases of beasts thrown away" have a tax levied upon them.

The ryot pays:—

"For keeping and buying elephants."

"For court expenses."

"For keeping establishments."

"A fee charged on every oven made by a ryot for boiling the juice of the date-trees and sugar candy," &c.

The ryot pays a fee for everything he does himself, and for everything the zemindar does not do for himself or the ryot, and makes the ryot do for him. And this paying is often by the most poverty-stricken creature in the universe—a ryot, who is generally on the brink of starvation, and who, when drought or inundation comes, no longer on the brink, falls into absolute famine.

There is a Bengali proverb, "The same love that the Mahomedan has to his fowl" (he fattens it in order to kill it), "the same the zemindar has to the ryot." But the proverb lies, for the zemindar does not even fatten his ryot.

"The magistrate of the district remarks that the road cess having given the zemindars a legal power to levy charges, it is reasonable to apprehend that the ryots will be more helpless than ever."

THE "EXACTIONS" ARE FULFILLED. BUT WHERE ARE THE "CONDITIONS?"

There are none fulfilled.

The ryot pays "contributions to meet the expenses of district post," one of the express "conditions" on which privileges were granted to zemindars being that *they* were to maintain the institutions of a civilized country. And he pays for the police.

The ryot has to make "annual payments to the agents of the

\* When the zemindar goes to his estate, the ryot has to pay for everything, and also to pay the servants.

"zemindars;" payments "at the opening of the rent year;" payments at the close; payments everywhere; payments *everywhen*.

"Besides the above, contributions for the support of schools, and "for the construction or repair of roads and bridges"—the zemindars having been created expressly to make roads, for one thing, among others—"are often levied in addition to casual cesses on the occasion of marriage or other ceremonies, or on the occasion of the zemindar visiting his estate."

"Lavy of fines for settlement of party disputes among ryots is also "a common practice."

The very presentation of a "petition" to the zemindar is "levied upon"—from the "petitioner," of course.

It is the Government which says all this; and we must not think that the Government is supine. It appears from these very documents that the result of a "crnsade against cesses . . . will be a very general "move on the part of the zemindars to raise the rents, in which the "weakest will go to the wall, and not without a great deal of individual "suffering . . . especially among the harder working and poorer class "of cultivators."

"How few of these measnres," meaning the "best half" of Lord Cornwallis's "great policy," the "conditions," says a famed Anglo-Indian, Sir Bartlo Frero, "were carried out or attempted up to our "time; how many of them still remain barely attempted and incom- "plete, may be seen by a reference to the excellent Administrative "Reports of the lato Lientenant-Governor, Sir George Campbell." To the same I appeal. And since that time, while the ryot has learnt more of his rights, what has been done to give them to him, or to raise his condition? Wages are rising a little, but prices are rising much more.

We seem to have "confiscated" the zemindar's *duties*, while confirming and enlarging his (so-called) *rights*; we seem to have allowed these fictions of rights—at first only winked at by Government's sleepy eyes—to become settled rights and ownership; to have allowed the duties which we forgot or neglected to require from him to become *nil*, though he held the land on *these sole conditions*; to have conferred now rights without conditions or corresponding duties.\*

\* *The Government went to sleep.*—Perhaps it would be more correct to say that our oldest provinces, Bengal and Behar, have always been the most under-governed. We set up judicial tribunals and left them alone to do justice between man and man, as if oppressor and oppressed were "man and man." Under the Permanent Settlement, Government divested itself of revenue functions, and there were no local administrative officers as in other parts of India. For half a century there



The law gives more or less protection to the ryots, but the landlord party cry out against this as an infringement of the rights of property, forgetting that it was *the condition* on which their right of property was created.

But if the law is there, why is it not carried out?

#### INCREASED PROFITS OF ZEMINDAR WITHOUT PAYMENT FOR THEM.

To sum up: "Who stole the goose from the common? The 'common man. But who stole the common from the goose? The 'lord."

The zemindar has the increased profits of the land arising out of railroads, canals, progress of commerce, without paying for any of them. He gains more than anyone by all Government works, towards which he contributes next to nothing, for he has the power, though not the right, of throwing many taxes upon the ryots.

was no local government for Bengal. The country was divided into enormous districts with no sub-divisions, and the few magistrates had little real control.

In 1834, and indeed up to 1853, the administration of Bengal formed a part of the duties devolving on the Governor-General.

He had to assist him, a single secretary for Bengal, a senior civilian with the usual establishment of a secretary to Government, i.e., deputy-assistants and clerks. There was a Revenue Board which dealt with questions of Land Revenue, and a Board of Customs, salt and opium. All members of both boards were European civilians, as were the judges of the Supreme Court of Control and Appeal in judicial matters.

In each district were usually a judge, a collector and a magistrate—all European civilians, with occasionally a junior civilian as assistant. Over several collectorates was a Commissioner of Revenue and Circuit. Such was the whole European administrative machinery for all the millions of the population.

Since 1853 a Lieutenant-Governor has been appointed, and a gradual addition has been made to the local administrative machinery, but it is still far too small for the task of governing so many millions; and of what little machinery exists all the influential posts are in the hands of Europeans.

Native zemindars exercise all sorts of administrative powers without any sanction of law. But legally till within the last few years, no native of Bengal had by law higher independent administrative authority than a village constable in England.

The Permanent Settlement, as it regarded the weaker vessels, the ryots, became therefore a dead letter, for the Government itself did not attend to it. We left all almost to chance: which means that the zemindars had and have the stronger crying-out power, the press power, the purse power, the greater command of law and lawyers, and therefore carried all before them. In the end the reformed Puritan Mahommedan doctrines have made their democratic way among the Mahommedan cultivators, chiefly in Eastern Bengal, and these have formed powerful land leagues against the zemindars, and have successfully rebelled against the indigo planters.

What security is there that he pays anything at all himself?

What security is there that he does not extract the highest possible or more than possible rent from the ryots?

The zemindar does not improve himself, and he does not give the ryot the security which makes it worth while for him to improve. If there is irrigation, the ryot says, and says truly, the zemindar takes the whole profits of the water. Colonel Haig found that, where the Government had charged a rupee or half a rupee for water, the zemindar had added three rupees to the rate.

No good laws or education can compensate India if we stereotype a form of society which ought to have passed away.

A MAN MUST EAT AND LIVE IN ORDER TO BE EDUCATED.

It is no use to talk of educating the ryot when he is, as the missionaries urge, "crushed and spiritless under the accumulated evils of his position."

In a paper on Vernacular Education, signed by twenty-four missionaries, some years ago, we find:—"The uneducated ryot is utterly defenceless. Detection of forged documents by him is impossible. An ignorant people fall as easy prey to corrupt underlings of the zemindars and the courts, who are always eager for bribes. Moreover, if the people speak truly, even the police and petty officers of Government greatly tyrannize over them."

It is a mockery to wait for education, though it has done much, to enable the ryots to do away with these evils for themselves. Rather what education we have given has enabled them to feel their evils more. This constitutes the danger of the situation.

We boast, as our claim to hold India, of the security we give to life and property—to peace and justice. The property is poverty except to a few; the life degenerates every year with the race. The peace and justice are for the usurer and zemindar. The people who used to be murdered under the native *raj* do not thank us. The Brahmin regrets his power—The Mussulman his supremacy.

The "unlucky experiment," as Sir H. Maino mildly calls it, "tried at the end of last century by Lord Cornwallis," has been an overthrow of rights of cultivators. They had clear and solid rights in the land. But modern ideas of political economy made them into a kind of serf.

The weapon of the Bengal zemindars is litigation, but they want energy, and a large proportion of them have not pressed their claims to extremity.

ILLEGAL EXACTIONS ARE, HOWEVER—NOT WERE, BUT ARE—UNIVERSAL.

In 1879 we find a minute by Mr. Mackenzie, Secretary to the Government of Bengal, on the "appointment" of the "Commission to consider the question of amending the Rent Law of Bengal," in which he says that *zemindars* declare the amended "Arrears of Rent Realization Bill" to be of *little use* to them, and it is they who ask for the Commission.

It is something that there should be "free discussion and deliberation" on the subject; but do we examine the *ryots* and ascertain what their actual condition is?

ILLEGAL COURSES [HIGH COURT OF JUDICATURE], 1879.

We find much matter to the purpose in the Supplements to *The Calcutta Gazette*—to the purpose, as showing the things *acknowledged by Government*. This is not the voice of people "disagreeing." It is the High Court of Judicature which speaks.

The High Court of Judicature begins:—"March 4, 1879. 13. The judges desire to reiterate once more what they have repeatedly asserted before, that organized resistance to the payments of rents by *ryots* is invariably due to systematic efforts to enhance them with or without cause; that bad relations between *zemindar* and *ryot* are almost universally due, either to the property changing hands, and to the speculator's attempt to augment the yield of his purchase, or to the *zemindar* allowing some one, a middleman, to come between him and the *ryots*, the middleman *talookdar*, or whatever he is called, being left very commonly to raise the profit which he pays by putting pressure on the *ryots*.

"14. The judges desire to express the astonishment that they feel at the observations frequently made on the subject of riots arising out of rent disputes. *Zemindars* and perhaps officials are apt to think that the *ryots* are to blame. Now it seems to the Court that, from the nature of the case, the blame must generally rest with the *zemindar*. Of course the judges do not mean to say that he is not more or less frequently subjected to great annoyance, and perhaps to loss; but so long as he confines himself to legal measures for enforcing his right, there cannot ordinarily be a riot. If rent is refused, he can sue; if he is resisted in distraining, he can apply to a Court for assistance; if he is entitled to measure lands and is opposed, he can do the same. There is a legal remedy in each case, and if there is a riot it can hardly be that it does not result from his impatience, pride, and preference for illegal courses. An obstinate *ryot* can be

"coerced, but he can legally only be coerced by the aid of the Court; "if no other coercion is attempted there is no occasion for a riot."

The ryots' riots, it is thus said, are the result of the zemindar—of his preference for illegal courses.

THE JUDGES ADDRESS THE BODY OF LANDOWNERS, AND THE GOVERNMENT ENFORCES IT IN THE "GAZETTE."

"The blame," in riots, "must generally rest with the zemindars," the *High Court* says:—

The documents following after this, upon which the minute of the High Court is based, are painfully interesting.

ENHANCEMENT OF RENTS [HIGH COURT OF JUDICATURE], "GAZETTE," 1879.

"The fact is the zemindars seeking enhancement get the best of it, "either by open decree, favourable compromise, or other settlement agreeable to the zemindar. The ryots cannot afford to carry on "appeals. The zemindar can and does."

This has been forcibly stated elsewhere. But the remarkable thing is—all this appearing in *The Gazette*, and—nothing being done.

And further on (this is still from *The Gazette*): it is "district "jndgos" who speak:—

"Zemindars sell out by auction the right of determining, of collecting, and above all of sorowing up the rents. When the disagreeable task has been effected, the zemindar re-enters on the estate and "claims to work on the enhanced rent-roll, for the ijaradar's rent collection papers are always carefully stipulated for beforehand. When "a substantial but refractory ryot has managed to hold his own against "a series of successive ijaradars, then the zemindar or the later ijaradar "selects him for the *ultima ratio* of an enhancement suit. As Mr. "Lytall truly observes, it is only as a last resource that a Tipperah "zemindar betakes himself to anything so decorous as a suit-at-law in "order to obtain an enhancement."

Is this "system of periodical, usually triennial, ijarat auctions" an unusual case of trickery?

It is stated elsewhere that "here" it is the "customary method of "dealing with ryots even on the zemindaris of really worthy gentlemen."

It is said elsewhere that the zemindar takes to it in almost every district.

One judge goes on (naming some zemindars by name, but their name is "Legion"): "By undisputed rents is meant what the zemindar "chooses to describe to the executive authorities as undisputed rents."

"As a rule, enhancement suits are almost avowedly mere engines "for harassing by expensive processes." "The usual device is to allege "all the possible grounds, increase in area, increase in fertility, "increase in crop value, increase in rates payable by neighbour ryots "of the same class, to hop from the one ground to the other, to fence "over all of them, and to *prove none*."

It is a judge who speaks.

"As a rule, rent rates even in this fertile district have already been "screwed up too high, thanks to the high-handed practices which "prevail among ijaradars."

This is from the district judge of Tipperah, but it is not contradicted that these are the practices of zemindars in almost all cases. "Combinations to withhold all rents are a legitimate sequel to "the customary measures for enforcing enhanced rents. Zemindars "and ijaradar substitutes for zemindars, on finding increase in values, "have resorted largely to the other test—that of the increase in rent "rates paid by similar ryots for similar lands. Then in too many "cases the result was intriguing and manoeuvring. The standard "device was to bribe this or that member of the ryot class to tell a lie "that he was paying at such and such rates, when in reality, by a "secret treaty, he was to pay only at such or such a rate much "lower. It was this extremely reprehensible intriguing which called "forth combinations to withhold all rents as the only means available "to resist improper enhancement of rents."

[If this is "perjury" it would almost seem a case for the Criminal, not the Civil Courts.]

"There never yet was any sustained combination to withhold rents "which was not a perfectly legitimate reply to a challenge thrown "down by the rent claimant himself."

#### STATE OF THINGS IN A COUNTRY NOMINALLY GOVERNED BY LAW.

The judge virtually says to the people, "We cannot protect you by law; you must protect yourselves by riots!"\*

\* Many things come out incidentally from these remarkable official documents, relating primarily to *Eastern Bengal*, but true as to zemindar practices in other districts, which illustrate what will be found in other parts of this paper. One is the internal tendency to village wrangling, only "repressed" by the "external danger." Another, "the collector magistrates" are "naturally impressed by the complaints which they hear from their *zemindars*"—apparently from want of agricultural education of their own. Qualified *experts* in agriculture seem greatly wanted to make "calculations." "The law says that any increase to the zemindar is to come out of the surplus which remains after labour and stock have been allowed for; in other words, that the zemindar's rent is not to be taken out of the

These *Gazettes* and official documents are read by the daily increasing class of educated Hindus (not zemindars), increasing under our own influences at Calcutta, Bombay, &c.\*

There is a public opinion rising up now; and whatever they think of us, what must we think of ourselves?

ENHANCEMENT, "UNEARNED INCREMENT" [HIGH COURT], 1879.

The *Gazette* (the High Court) goes on to comment upon the "unearned increment," and the absurdity of this. It says, "Is the profit by the substitution of valuable jute for coarse rice to be treated as unearned? Is the bulk, or even a large share of the profit of that change, to pass necessarily into the pockets of the zemindars?" . . . If that is to be so, *the ryots will be unwise if they go on introducing new and valuable staples to replace the old ones; that is to say, go on furnishing the means for raising rents on themselves and their neighbours.*"

This is the key to the whole problem. We see elsewhere a ryot's wage earnings, or out of the ryot's working capital." . . . "Unfortunately for the zemindar, the law has been reasonable enough to insist that the other, or disbursement side, shall also be looked to. There also the values are found to have increased considerably." It is added that "such calculations" are "difficult." And it seems a truism that agricultural "calculations" can only be well made by "officers well trained" in agriculture.

Another, that practical measures "would do more than reams of reports and sheafs of bills to ensure the much-needed agrarian reforms." How true is this everywhere! Another, "It seems easier to cure symptoms than to cure diseases," says the judge, in reference to "the quartering of punitive police," instead of going to the root of the evil.

As to "agrarian outrage or reprisal:"

"That process first of all begins," it is repeated, "in demands for enhancement, and not till thereafter is followed up by combinations among the ryots for the withholding of rent."

There are two curious papers by munsifs in the same *Gazette*, in one of which is an account of how the orthodox Hindus, or "respectable people," "very seldom, if ever, come to give their evidence" at once, saying: "though served with a summons, that it would be derogatory to their dignity if they come merely on a summons," &c. Is this because false evidence hired and contracted for is so common?

"When a village has gone on strike, the landlord singles out a few of the leading men and bribes them to his side with a false measurement, or he throws in a few beggars of land into their pottahs under some fancy name. These men then go to court ready to swear anything against the men on strike, and in a day or two some of them find their houses burnt down about their ears." This was actually "set as a translation paper" ("appropriately enough") "at the half-yearly examination of assistant-magistrates and deputy collectors." Might not some such examination papers be "appropriately" set to Civil Service candidates for India here in England?

zemindar raising his rents on account of the "bountiful rain which "it has pleased Providence to send." We often see that ryots will not take the water provided by irrigation works on account of the absolute certainty of having their rents raised at once.

So far the judge.

That the ryots do say what the judge supposes, viz., that they will not furnish the means for raising their rents, is unfortunately too true. But it is strange for *the judge* to have to speak for the ryots thus. In England it would be an "agitator," a "people's delegate," who would say these things. In India it must be a judge; and what is more, a High Court.

And thus the High Court of Judicature issues a document speaking out from the whole body. It used to be a complaint that the 13 or 15 judges would not speak out as a body. But here, where the whole Court has to make such a case, it should surely draw our attention. There are worse things which might be quoted, but it is not often one has judges as *witnesses* and a High Court as *prosecutors*.

But where are the native members of Council? Do these members help, or do they join against their own flesh and blood, like Saturn devouring their own children?

It was our lot to hear a Prime Minister of England say, with a gesture of grief, "It is enough to drive one to despair," referring to the want of help and energy in native members of Council, who should be allies in reforming these things for the cultivator, and who are, on the contrary, hindrances.

I have thus endeavoured rather to put the state of feeling and grievances of the ryots as regards this momentous land question before those much better able than I to judge of what the remedies should be in the Bill now drafted by the Government of India upon the basis of the Bengal Rent Commission's Draft Bill, of the Government of Bengal's, and of various other reports.

#### SUMMARY OF THE PRESENT STATE OF THINGS.

##### THE CONDITION OF THE RYOT.

He is underfed: yet always works hard.

He is helplessly exposed to periodical famines.

He is for the most part in debt.

He is more or less at the mercy of the zemindar, in a country where *custom*, not *contract*, is the rule, and where he must contract himself out of all his rights—of the zemindar, who can raise his rents as much as he likes—and where there is such competition in land, the cultivator is helpless—of the zemindar, who can impose upon him what cesses or taxes he pleases, and he can only obtain redress by going to

law; but he is ruined if he goes to law (unless, indeed, he combines in a strong land league against the zemindar).

He is overcrowded and degraded.

He is morally and physically deteriorating, and will be worse in the next generation than in this, if nothing be done.

He is expected to protect himself, and in some measure some have done so of late years by combinations. But he is not protected against the main things: absence of tenant right, meaning that the ryot is always to pay the same rent, and while he pays it not to be evicted; and of illegal ahwabs.

That is to say, that the zemindars can impose any rent or cesses which they please,\* but are guaranteed against any raising of a rent charge imposed upon them. Hence any improvement in the value of property goes to them instead of going to revenue, public works, &c.

The arbitrary creation by "Proclamation" of a class which has not, as it were, grown up in the soil, could scarcely be expected to succeed; nor was the idea that if the English Government created a Bengal zemindar, he would turn into an English landlord, with all his power of duty and traditions of duty, less visionary than would have been the transplanting of tropical vegetation into the fields of England, and expecting it to flourish there.

The zemindars (about 130,000) have performed perhaps not one of the duties of the landlord class in England.

The cultivators (numbering about 10,000,000 holdings, *not* numbering the subordinate "tenure holders," about 1,000,000) are in a state which calls more loudly for redress year by year.†

The revenue in 1793, at the time of the Permanent Settlement, was about 3 millions; the zemindars' share was one-eleventh of the revenue.‡

In three-quarters of a century the Government revenue has increased to 3½ millions, while the zemindars' rental has grown from about a third of a million gross to more than 13 millions net. We have given away a land revenue as large as the whole land revenue of all India; for we have allowed between 25 and 30 millions,

\* A sample case:—

The bailiff of a wealthy landholder in Bengal lately wrote to his law-agent in Calcutta as follows: "His Honour, my master, purposes to raise the rents on his estate 5 per cent., in consequence of the recent providential fall of rain; and 2 per cent. more to meet the cess which the Government has imposed on him, in order to diffuse the blessings of education amongst his tenants.

† Between the zemindars and the cultivators come 724,000 intermediary estates, 620,000 being of a rental below £10.

‡ See Bengal Regulations II, 1.



reckoning illegal exactions, &c., to be extorted from the occupants of the soil, out of which Government receives, instead of ten-elevenths, which was the rule at the Permanent Settlement, about one-eighth.

The loss to the ryots, six millions of whom have holdings of only between two and three acres, paying less than 10s a year, whose condition is deplorable, and nine millions of whom pay less than £2 a year, is as great as that to the State. And do the average zemindars, who are supposed to gain, prosper? But few. How can they? Few do aught which makes men prosper.

Were a prophet to describe this state of things to the Englishman, as Nathan did to David, would not the prophet, on the Englishman rising in his righteous wrath, point to him and say: *THOU ART THE MAN?*

You ask whether matters as described in the foregoing pages are so still?

Here is the answer.

As has been well said, though this state of things is now being removed by decentralization, "ryots have been toiling in Madras and "starving in the Deccan, in order that gentlemen in Bengal may enjoy "incomes of hundreds of thousands a year free from taxes."

"The richest province of India has been to a large extent defended, "administered, educated, supplied with roads, barracks, hospitals, rail- "ways, and canals, and relieved in famine, at the expense of the rest of "the community."

Bengal proper, with 69 millions of people, and 54 millions of cultivated acres, pays £3,663,000 land revenue. Madras, with 31 millions people, and 32 millions cultivated acres, pays £3,296,000 land revenue. Arid Bombay with half Bengal's cultivated area, and one-fifth her people, pays £3,344,000 land revenue. Madras and Bombay together, therefore, with an equal area to Bengal, and a population one-third less, pay nearly double the amount levied on Bengal.

Well may Niehnhr call the Permanent Settlement "one of the "most unfortunate but best-intentioned schemes that ever ruined a "country."

But he was wrong in his word. It was not the Permanent Settlement, it was the violation of the Permanent Settlement that did this.

The mistake arose "from describing those with whom the Permanent Settlement was made as the actual proprietors of the land;" thus the Court of Directors wrote in 1819.

The mistake arose from conceiving that if we described them as

the "actual proprietors of the land," that "description" would make them perform its duties.

We must not stay to consider the famous Act of 1859, which seems to have done some harm in recognizing a wholly unprivileged class; in fixing 12 years for the acquisition of occupancy rights [as the Bill stood, every "resident ryot" had a right of occupancy, and three years' cultivation of land made a "resident" ryot even in lands not previously in their occupation, and for which they had no written lease]; in restricting the right to sit at fixed rents to a very limited class, and in providing how to harass occupancy tenants, not so entitled, in order to enhance their rates.

Landlords and tenants are alike dissatisfied. [A full account of this Act of 1859 may be found in a memorandum by Mr. Mackenzie in the Rent Law Commission Report.]

Twenty years afterwards, in 1879, the condition of the tenantry, a blot on civilized administration, is described by officials themselves, as we have seen. As we have seen, the reform which is every year more vitally imperative, and every year more difficult of attainment, has been exhaustively discussed by Government. And their Bill is now launched.

The moment for reconciliation between the classes has been strongly, it is hoped not rightly, said to have passed away for ever.

Something must be done, if only to avert political danger of the gravest kind. There is universal official testimony that nothing is softening down, but all and everything which concerns an impoverished, degraded, and rack-rented peasantry becoming more embittered and threatening every day.

Adjustment must be effected, but each year matters for adjustments are becoming more entangled.

So far from matters adjusting themselves, the efforts of the landlords to destroy occupancy rights are, where property is increasing in value, yet "more determined and successful."\*

\* Loss to the ryots, loss to the State. Who gains? "Heads I win, tails you lose," might be the motto of the zemindar.

In rent suits and other forms of litigation, possession is nine points of the law. Here is a notice of appeal in a fine case:—"Your Honour may be right, I may be wrong; I may be right and Honour wrong; let Honour give me back the fine, and then at Day of Resurrection, when all hearts will be open, if I am wrong, I will most gladly, sir, return your Honour the money."

To shift the burden of proof in disputed rent cases is the landlord's game, and to have the money till the tenant proves it is not due.

The zemindars have more publicizing power than the ryots; they can command better advocates, better representation. There is always the danger that they will get all the proposed Bill will give them, while concessions to the ryots will be lopped off.

## SUMMARY FOR BEHAR IN 1878.

And what is the state of things now in Behar, a province of twenty millions of people? We will see what it was in 1878. It is declared that the "lawlessness" of the landlords, the "cruelty" of their "illegal exactions," keep the "deep and hopeless poverty" of the cultivators at only just above starvation point. In 1878 the Bengal Government thus gives its own testimony:—"In Behar, what is most wanted is some ready means of enabling the ryot to resist illegal restraint, illegal enhancement, and illegal cesses, and to prove and maintain his occupancy rights. Apart from the backwardness and poverty of the ryot, there are many points in the existing system of zemindari management which seem to call for speedy amendment. The loose system of zemindari accounts, the entire absence of leases and counterparts, the universal prevalence of illegal distraint, the oppressions incident to a realization of rents in kind, the practice of amalgamating holdings so as to destroy evidence of continuous holding, are evils which necessarily prevent any possible development of agricultural prosperity among the tenant class, and place them practically at the mercy of their landlords, or of the *thekadars* (contractors for a lease), to whom ordinarily their landlords from time to time transfer their rights."

It is the Government which says this.

A committee of indigo planters and zemindars have themselves reported that the ryots had lost all their rights.

You ask whether matters as described in the foregoing pages are so now?

Here, then, is the answer.

## BENGAL RENT LAW COMMISSION, 1880.

We now come to the Commission on the Bengal Rent Law, which reported in 1880.

In a memorandum appended to the report, after a statement in figures of the enormous increase of forced sales of "immovables," most, if not all of the "movables" having been taken, showing that "forced sales of real property, which always affect the poorer classes," have "doubled within the last four years;" after a statement in figures of the increase within the last seven years of suits for arrears, with or without ejectment, to the enormous amount of 130,000 in 1878, mortgages and sales of less than 100 rupees having almost trebled within the same period; after a statement in figures that "the number of thefts last year has again risen to almost a famine height," we are asked: "Can we, then, say that the people who, in spite of the most solemn promises of the State to the contrary, have been

"deprived of a sum nearly equal to the amount of the Franco-German indemnity, whose movable property is almost nothing, whose lands are being sold twice as fast as they were five years ago, who are compelled to encumber their property three times as often as seven years ago, and whose criminal population has reached the figure it was in famine times, are in a fit state to have their rents increased and their customary possession destroyed?"

We are asked "how far it is advisable to give any further facilities for enhancement without protecting the ryots from the objectment theory, which has more or less developed *within the last seven or eight years.*"

Mark well: the question is not to abolish the Permanent Settlement, but to carry out the Permanent Settlement.

"The Government revenue of the Permanent Settlement was about £2,850,000, and eight-tenths of the gross rental. One-third of the land was waste, it is said. On these conditions, if the whole of Bengal had been under cultivation, the gross rental would be £4,764,000. According to the Report of the Board of Revenue, it was, in 1877, equal to £13,037,000. In other words, the rates of rent, which were intended to be fixed by the Permanent Settlement, have been trebled, and the ryots are now being compelled to pay an excessive exaction of £8,273,000 yearly. If this annuity be valued at twenty years' purchase, it appears that *we have deprived the cultivators of this enormous sum of £165,000,000 and given it to the zemindars, who still cry for more.* What large portions of this enormous income are squandered by 'mismanagement, extravagance, and want of self-restraint' may be gathered by a reference to the Report on Wards' Estates for 1877-8, and other years. During the last few years the Government has spent 'crores' (out of the public revenues) on famine. Every Administration Report since 1873 dwells on the bad feeling existing, and the riots and murders which have occurred through disputes between landlords and tenants."

Do we still say that our rule has brought peace, and law, and justice to India?

"An act to prevent agrarian disturbances had to be passed, and a committee appointed to inquire why the ryots in Behar had abandoned their holdings and fled to Nepal."

It is stated that the people in Bengal, at least in some parts, are so near the "extreme limit of self-support," that very little more will "compel Government" to hold "a cadastral survey of the whole province, and record, once for all, the rights of the people before they are swept away."

In another memorandum to the Bengal Rent Law Commission

Report, on which were two native gentlemen representing especially the zemindari interest, it is pointed out that there is "much to be said" for their, the zemindars', "view of the facts, and it is not at all likely to be left unsaid. The landed and wealthy classes of Bengal have powerful organs in the press, and powerful friends both here and at home. They are, many of them, very amiable persons, of great intelligence and great benevolence. Officials are glad to do them favours, and find it pleasant to be on friendly relations with them. Every prejudice arising out of the Western notions of property, and the relations of landlord and tenant in Great Britain, is entirely on their side. It is only at the cost of much dry study of old records, old laws, and old books, and from a close and critical examination of certain apparently anomalous survivals in the rural economy of the province, that one comes to learn that there is, even in permanently settled Bengal, quite another side of the land question which is not represented in the zemindar's statement of the case—which *has been affected less than is supposed by modern legislation*—which concerns the interests of vast masses of unfriended peasants, and which the occurrences of recent years make it necessary, once for all, to bring prominently under the consideration of Government and the Legislature."

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### HERE ARE THE WRONGS: BUT WHERE ARE THE RIGHTS? WHAT ARE THE REMEDIES?

"Gentlemen," said the last Emperor of Russia, at once the champion of the principle and the victim of its failure, "if reform does not begin from on high, it will begin from below." The dumb ryot is finding speech, the deaf government has long since awakened and heard, and the deaf zemindar will hear.

We say no longer, we do not care for the people of India: but—we *would* care, if only we could understand.

This is a humble earnest contribution to our understanding of part at least of Indian legislative work, which is now being so actively undertaken by the Viceroy and Government of India.

This Government is the true friend of the zemindars, because it seeks to give them good, prosperous, paying tenants instead of rack-rented runaways.

Capitalists are wanted as well as cultivators.

Peasant proprietors are often opposed to improvements. They do

not care for people twenty miles off. For instance, peasant proprietors care not for roads to distant places. Therefore we want landlords and capitalists.

If there were no landlords we think we should have to create them. But we did create them.

And this is the result. Neither do zemindars care for improvements or for people two miles off.

What is the remedy for this state of things?

Certainly not to murder the landlords.

Violence is used to collect the illegal cesses.

What is the remedy for it?

Certainly not to use violence to resist them.

A legal remedy must be sought.

What is the legal remedy?

REMEDIES PROPOSED FOR THE CONDITION OF THE RYOTS IN BENGAL,  
AS REGARDS LAND TENURE AND PERMANENT SETTLEMENT, OR RATHER  
VIOLATION OF PERMANENT SETTLEMENT.

What was done under the Permanent Settlement compared with what might have been done:

What may still be done:

(a) In protecting the ryot under the old settlements.

(b) In giving new settlements, either making the ryot's payment the fixed element, or enabling him to purchase on easy terms.

1. *Rights of occupancy, or fixity of tenure.*

The laws of 1793 gave fixity of tenure to all resident ryots. This is not disputed.

The zemindar appeals to the Permanent Settlement.

So can the ryot.

It is not now whether anything is to be done, but what is to be done?

One remedy proposed is: that the right of occupancy should be attached, not to the ryot, but to the land; that there should be people's land, "ryotteo land," as in the old Aryan law, as in European laws, where land is kept for the people, whoever might be the holder.

Another remedy is: to give occupancy right to all resident ryots, a privilege on solid ground. Practically this amounts nearly to the same thing.

A counter proposal is: if the ryot or his predecessor has held for twelve years in the same village or estate, *though not the same land*,

this to constitute occupancy right. The khudkasht or "settled" ryot's status to depend not on the holding of one and the same plot of land for twelve years, but on the holding of any ryottee land (whether the same or not it does not matter) in the same village or estate for a period of twelve years whether before or after the passing of the Act.

The general principle of the Act of 1859 was that any resident ryot, for the future as for the past, who had settled himself down for a long course of years, cultivated the land, set up houses and fences, and so on, should be deemed to have a right of occupancy, unless it was shown that he held under a special contract.

But the rights of the old-established ryots were seriously injured by the Act of 1859, which threw on them the burden of proving, not merely that they have held for twelve years in the village or estate, but further, that they have so held in every one of the particular fields or plots in respect of which they claim to have rights of occupancy—a burden which, it need hardly be said, it is impossible for them, in the absence of any trustworthy agricultural records, to discharge. "And, as regards the acquisition of rights of occupancy by new comers, a matter which is always regarded as absolutely necessary for the prosperity of the agriculturist class in this country, it becomes almost impossible under a law which enables the landlord to prevent it by the simple device of shifting the tenant from one holding to another before the period of twelve years has run out."

An amendment of the occupancy provisions of Act X of 1859 in the manner proposed, i.e., twelve years' occupancy of land in the same village or estate to give the right, although the land, or some of it may have been changed, as now proposed,—the distinction between resident and non-resident ryots\* being practically given up—would not materially differ in practice from the proposal to give the occupancy rights to all ryots.

## 2. Remedy: Fair rents; right of enhancement.

The laws of 1793 clearly gave permanency to the ryots as well as to the zemindars, fixed rents as well as fixity of tenure.

\* The terms "khordkasht" and "paikast" (purely Persian; Mogul official terms brought from Northern India) were never quite applicable to Bengal; and now, when regular communities are not the rule in Bengal, and hamlets are much scattered, they define scarcely anything. Where, in regular village communities, each aggregation of cultivators live in their own village (as in most parts of India), the distinction between the cultivators of their own lands, i.e., of the lands of their own village, and the temporary cultivators living in another village, is clear enough.

The law of 1793 gave no right of or facilities for enhancement against a ryot paying the ordinary *pergunnah* rate.

Where the revenue is fixed, it is obviously unfair that fixity-of-tenure men should be liable to enhanced rents.

Before the Act of 1859 there was no right of enhancement. By that Act twelve years' men were given occupancy rights, but liable to enhancement. That Act declared the majority of the long-settled resident ryots of that day to have fixity of tenure, but not fixity of rent. It, however, laid down, regulated, and defined the grounds upon which alone the existing rents could be enhanced.

But the law was only enforced by the action of the courts. There was still no attempt to make a public record of the holdings of the ryots.

In Eastern Bengal the commutations of the zemindar's right of enhancement into fixed rents by voluntary agreements on payment of a fine have risen from 50,000 a year to 125,000 or 130,000 a year. The recent papers show this number as formally registered.

This may indeed be thought a better course than one now proposed:—viz., the right of enhancement to include leave to the zemindar to apply to the collector—the collector to act for the zemindar in order to carry a right of enhancement which he could not carry out for himself. This putting in motion the collector to settle and record the rents is entirely at the option of the zemindar.

The collector is to make, too, a record of the prices of agricultural produce for future reference in enhancement suits.

There is no provision whatever enabling the ryots similarly to call in the collector to make a record for their protection.

Instead of this, assistance should be given to the zemindar to obtain a fair enhancement in the rare cases of his increasing by his own expenditure—e.g., by irrigation or drainage—the productive powers of land.

As regards the *unearned increment* due to increase in value of produce, as well as increase earned by the ryot, no facilities should be given.

But the object should be not only to prevent undue enhancement, but to allow existing unfair rents to be reduced. And for this due provision should be made. It, however, hardly appears to have been made.

If the more summary procedure for rent suits is to be given to the zemindars, then sufficient protection against illegal execution must be given to the ryots.

If improved means of enhancing the rent are to be given to the



zemindar, at the option of the zemindar, then the ryots should be entitled to come in and demand that a public record should be made for their protection. The zemindars should not have the sole option of this.

This second remedy should properly be limited to *sufficient facilities for collecting existing rents through summary and effective courts* :—

*I.e.*, improved facilities for collecting *bona fide* existing rents should be given, as a set-off to the twelve years' right of occupancy to those who have hold in the same village or estate, the zemindar taking the old law of 1859, and making effective the twelve years' rule, with the provision that it is to be operative notwithstanding change of land within the same village or estate.

### 3. Remedy : *Free sale.*

It is proposed to concede free sale to all occupancy ryots ; to put no check on forced sales ; all ryots' rights to be freely transferable, either by voluntary or by compulsory sale ; but the sale to be only to another cultivator ; not to be to a non-cultivator, who might keep the old ryot on without any rights at all, as is often done by the money-lenders in the Deccan.

But where, as in India, the cultivator has no inclination to emigrate, the right of free sale is not urgently desired by him. On the other hand, it is liked by the landlords on account of the facility for realizing rents which it gives them.

Forced sales are an almost unmitigated evil, owing to the presence on the soil of an expropriated people, deeming themselves unjustly deprived of their immemorial rights, as in the North-West Provinces in the time of the Mutiny ; and as in the Deccan so lately.

Suggested Remedy, a *Homestead Law*, as in America.

The holding of the Indian villager, having probably had its origin in a distribution of the community lands, might be protected for a time at least by a law that no man can be forced to divest himself of that portion of the community land assigned him for his living. So much land is treated as a trust rather than a property. This protects as much land as is necessary for his individual cultivation, together with the implements of cultivation.

To give the power of free sale to a people unaccustomed to such rights seems to be giving them the power of killing the goose which laid the golden eggs.

We become enamoured of peasant proprietors until we find out that they mean money-lenders. But the money-lender does wish to keep the goose alive. He wants to get as much out of it as he can. We shall not find it to be the same here.

4. There is one remedy as to the necessity of which all are unanimous; and that is, to take from the ryot the power of contracting himself out of these provisions, and so protect him in the privileges granted him. This refers more particularly to his occupancy rights, but also to other rights.

A right of occupancy is to be acquired under the new Bill by a settled ryot holding ryottee land "*notwithstanding any contract to the contrary.*" It appears absolutely necessary to prevent our legislation from being overridden by contract. We seem fully justified in directing our Courts not to enforce contracts, the clear intention of which is to defeat the intentions of the legislature. Here is a sample contract said to be imposed by Bengal zemindars on Bengal ryots: ["An ounce of fact is worth a ton of theory."]

1 Monthly instalments drive the ryot to the money-lender before the harvest, and they enable zemindars to wrong the ryot by bringing suits every month and saddling the ryot with costs.

2 Thirty-seven and a half per cent.

3 Bamboo-clumps are "necessaries" for a ryot.

4 By Act X of 1871, the ryot is bound to pay half the road cess.

5 By Act II of 1878, one-half only of the Public Works' cess is thrown on the ryot.

6 By Act VIII of 1862, all the dak cess is payable by the zemindar.

7 The imposition of such cesses is absolutely illegal. See Reg. VIII of 1793, and Act VIII of 1860.

8 Not the value of even one-fourth the value of the tree.

9 I.e., If the land is taken up for public purposes, the zemindar is to get the price paid by Government; the ryot nothing.

N.B. The kabuliyat is given by the ryot and remains with the zemindar. The patta is given by the zemindar and remains with the ryot. This latter

(1) Kabuliyat.

I, cultivator . . . take the lease of . . . bighas of land . . . I will pay the rent at your kachahri . . . according to monthly 1 equal instalments. If I fail to pay the rent on due date, I will pay interest at the rate of 2 two pice per rupee per mensem . . . I will cultivate the land with my own hands . . . I and my heirs will never acquire a right of occupancy in the land. I will not sub-let . . . erect buildings, excavate tanks, plant bamboo-clumps 3 and gardens . . . or transfer or alienate the lands.

I and my heirs will pay, in addition to the rent, road cess 4,

Public Works cess 5,

zemindar's dak cess 6, and any other cess which Government may levy in future, together with any cess 7 which you may levy.

I will not cut any trees whatever. You are at liberty to cut trees on payment of one-fourth of the price of the wood 8.

I and my heirs will not claim any compensation 9 that may be awarded under Act X of 1870, and under any other law.

(2) Patta (pottah).

You shall enjoy the land paying rent . . . and having rights as per kabuliyat.

[This is all.]

document gives no details, so that the ignorant tenant never has an opportunity of understanding the nature of his rights and obligations; all these are only entered in the *Kabuliyat*, which is in the custody of the *zemindar*.

This is the kind of document—contract we cannot call it—by which our legislation is overridden.

Well may a recent dispatch of the Government of India say:—  
 “Such is the power of the *zemindars*, so numerous and effective are the means possessed by most of them for inducing the *ryots* to accept agreements which, if history, custom, and expediency be regarded, are wrongful and contrary to good policy, that to uphold contracts in contravention of the main purpose of the Bill would be, in our belief, to condemn it to defeat and failure. It is absolutely necessary that such contracts should be disallowed, and, in this conclusion, we have the support not only of the Bengal Government, but also of the almost unanimous opinions of the Bengal Officers.”

What the present Bill provides shall attach to the tenancy notwithstanding any contract to the contrary is briefly as follows:—

(1) The *ryot* may use the land in any manner which does not render it unfit for the purposes of the tenancy.

(2) He may make improvements on it as provided by the Bill.

(3) He must pay rent at fair and equitable rates as determined by the Bill.

(4) He cannot be ejected, except under a decree passed for breach of certain conditions, or for using the land in such a way as to render it unfit for the purposes of the tenancy.

(5) He may sub-let the land.

(6) His interest is to be transferable, subject to certain rights reserved to the landlord; and

(7) His interest is to descend as if it were land.

“These rights, it will be seen, include the three F’s: fixity of tenure, fair rent, and free sale.”

5. Remedy: *A regular survey.*

In reference to 2, *fair rents*, *right of enhancement*, it has been proposed to have a system of district rates and produce rates; in other words, fixing tables of rates for particular tracts; *fair rates* instead of *fair rents* for particular holdings. Without a regular survey this would be impossible. On every ground, however, a survey is imperative for Bengal; and a survey and record of rights and payments, as at least regards *Wards’ Estates* and other special estates and areas in Bengal, should be undertaken at once. We are ashamed that European

official administration of Wards' Estates has too often administered them oppressively, as if heaping up riches for the Ward were the only thing to be regarded.

The obligation to maintain district and village accountants has come down in the old laws, though it is now quite unheeded.

The obligation to give written *pottals*, or leases, to the ryots, much insisted upon in the old laws, is also little observed, or the *pottals* contain no details.

Where anything like a public record of cultivators' rents has been kept, the cultivators, even in poor and dark Behar, have ceased to be wholly at the mercy of landlords. Landlords in Bengal are, in accordance with the provisions of Sir George Campbell's Road Cess Act, required to file in the magistrate's court statements of their lands and of the rents paid to them by their ryots. It was, of course, of importance to the landlords for their own purposes that their receipts from rent should appear at as low a figure as possible.

In Mozufferpore, then, one and another of the ryots of the district came to learn that the record of rent, filed by the landlord, could be used as evidence against himself in any rent suit between landlord and ryot.

Then for the next three months from every part of the district ryots came trooping into Mozufferpore, paid their inspection fee, got a certified copy of the rent at which they were said to hold their lands, and from that time refused to pay the zemindar one rupee more than that amount, which, it need hardly be added, was not in all cases identical with the rent actually paid by the ryot up to that time.

[The rule that one-half of the amount of the road cess is to be paid by the ryot, and the other half by the zemindar, is constantly infringed in practice. Sometimes zemindars realize the full amount of the road cess from the ryots.]

It is a satisfaction to know that instead of the ryots being always at the mercy of their landlords, it is possible now for unjust landlords to be at the mercy of their ryots.

The remedy therefore proposed is :

A public record for the protection of the rights conferred by law on the ryots.

That the holdings of the ryots should be recorded, as in the province of Benares.

That public accountants should be maintained.

And that some such machinery as that of the North-West Provinces for protecting the people should be adopted.

6. Remedy : *Effective penalties for illegal exactions beyond the rent.*

The present penalty for illegal exactions is that the ryot may sue for twice the amount in damages; e.g., for an illegal cess of one rupee, the damages, if the suit be successful, will be two rupees. This is a ridiculous remedy.

In the Permanent Settlement regulations the remedy is—confiscation. This is a tremendous remedy. There is absolute power provided to confiscate the estates of the zemindar, if he fail in carrying out those conditions upon which alone he received them. He *has* failed, as has been seen; but his estates have not been confiscated. This has been disallowed, even in those worst instances which elsewhere would have been made use of *pour encourager les autres*. The argument for negativing it seems to have been: "All landlords are to be left to do illegal acts, because all landlords *do* illegal acts."

*Remedy*: Instead of the tremendous, never-used remedy of confiscation, a thorough eradication of illegal cesses so generally imposed in defiance of law, adequate deterrent penalties being exacted.

And as protection against illegal exactions, a public record for future safety.

7. *Remedy*: Criminal prosecution, not civil action, for breach of law by landlord.

It has been suggested that "barefaced systematic violations of the 'law by the landowners' should be met, not by 'a civil action by a 'frightened and resourceless peasant,' who has no money to pay the fees, but by criminal law—e.g., that illegal distraint (universally prevalent in Behar) should be punishable by fine and imprisonment; that the omission to give written leases or receipts should be punished, 'not by 'the possibility of a suit, but by the certainty of a criminal prosecution 'and a penal sentence.'"

It is answered: But you *have* the legal power of confiscation of estates, and you never use it. The reply of course is: There is a middle course between a tremendous and a ridiculous remedy.\*

And the ryot whispers, though a "dumb animal," "We stand upon 'our immemorial rights of occupancy' and 'We look upon a lease 'rather as a 'long notice to quit.'"

\* It will be remembered that in 1860, in Bengal, a proposition actually passed into law for six months, enforcing contracts between the European (planter) and the ryot, not, as they are in all civilized countries, by an action for damages in a civil court, but by a criminal suit with the penalty of imprisonment. Sir John Lawrence strenuously opposed these "Specific Performance Clauses." It may be said that the landlord ought not to be subject, though it is not in reality a similar case, to what is condemned for the ryot.

## BEHAR.

8. *Behar*, the evils of which are so much more crying than those of Bengal, must occupy a different category. The Behar ryot will submit to be ousted from all his immemorial rights: he has no fight in him. The late Commission of indigo planters and zemindars themselves admit that they have been chopping and changing the lands of poor ignorant ryots, so that there is scarcely a right left in Behar. The Behar ryot has lost the right of occupancy by one field being taken for indigo one year, another another. The Behar Commission tells us that while 60 per cent. of the ryots have held land in the same village for more than twelve years, less than 1 per cent. hold exactly the same land as twelve years ago.

Behar has a different race, a different language, and different social institutions from Bengal; and though Bengal without Behar, has forty millions of people, yet Behar has half that number. Twenty millions of people is a kingdom; and of this kingdom the great zemindars have respected very few old rights and have adopted the worst system of all, that of temporary middlemen farmers (*ticcadars*). Under this system the villages are put up to the highest bidder, and let to a speculator, from whose hands they have fallen into those of European indigo planters, who give very high village rents to the zemindar, but take his (arrogated) feudal power and have no voluntary contracts with the ryot.

There are very few Mahommedan cultivators in Behar—the tough and resolute element of Bengal. The Behar ryots are a mass of poor low castes. They were not strong enough to bring their cases before the Courts, and this is the result. They are crushed by constant and excessive increase of rent. Rents have been doubled, and more, within a few years. Rack-renting is extreme. At least half the gross produce, —but often more—generally paid in kind, goes to the zemindar, who supplies nothing but the land. There is scarcely anything like it in any other part of the world.

BEHAR: HERE ARE THE WRONGS; BUT WHERE ARE THE RIGHTS?

The rights conferred on the ryots in 1793 extended to those of Behar, as also did the settlement of 1859.

But as the mixed Commission of 1878 tells us they have been deprived of all these rights and ground down to the lowest point; The Local Commission, the Bengal Rent Law Commission, the Famine Commission, Sir Stuart Bayley (Commissioner in Sir George Campbell's Lieutenant Governorship), Sir Richard Temple, Sir Ashley Eden,

"all gave the same account of the "deep poverty and misery of the "ryots," the "grinding traditional oppression," the "condition of the "peasantry lower than that of any other peasantry with equal natural "conditions." "There can be no doubt whatever that the combined "influence of the zemindars and the ticcadars (temporary middlemen "farmers) has ground the ryots of Behar down to a state of extreme "depression and misery.

"The tenants are said to have no rights, to be subject to the exaction of forced labour, to illegal distraint, and to numerous illegal "cesses.

"It is this great curse of Behar which makes the ryots of the richest "provinces of Bengal the poorest and most wretched class we find in the "country."

#### BEHAR: WHAT ARE THE REMEDIES?

*Proposed Remedy.*—Every ryot who has held for three years any portion of what may be called peasants' land, as distinguished from lords' land, and has held some land of this kind in the same estate for twelve years (though not the same land) shall have right of occupancy, as laid down by Act X of 1859.

Every ryot who has not established a right of occupancy under the law of 1859, but who has held for three years, shall have, if dispossessed, a year's rent as compensation for disturbance, and also compensation for improvements.

*Another Proposed Remedy.*—Also to restore the old system of public accountants and public accounts; for any concession of rights is of little use unless these rights are recorded and protected by an accurate public register and by a much more active administration.

This last is the more necessary, because Behar, as has been said, is an immense province, the one division of Patna containing as many people as the Presidency of Bombay, and several single districts as many as minor European kingdoms, while the sub-divisions are equal to districts in other parts of India.

*Additional Proposed Remedy.*—To undertake at once the survey and settlement (i.e. record) of the Patna Division, equal in population and probably in number of tenures to the Bombay Presidency, in order to settle fair rents, to cut down rents plainly exorbitant, and to bring up those beneath fair and prevailing rates to that standard on the zemindar's demand.

An actual existing remedy is, a Voluntary Association of indigo planters; who have just appointed an agent of their own to go about and investigate complaints.

Had the Bengal planters adopted the plan which these planters in Bohar have adopted with good effect; viz., of having a paid agent whose special duty it is to inquire into all cases of oppression and of disputes between planters and ryots, the result in Bengal would have been very different. The Bengal indigo planters would not give way. They refused reform, and revolution took place. The trade has, to a great extent, collapsed.

Provision for an effective survey, record, and settlement of rights in the Patna Division, and eventually for the whole province of Behar, —and as regards Bengal for the survey and record of rights and payments in Wards' Estates and other special estates and areas in Bengal, must be immediately made if any remedies are to be efficient or any rights secured at all.

I wish we had space to go farther into the exhaustive Report of the Rent Law Commission, the Draft Bill which it prepared, the Draft Bill which followed, prepared by Mr. Reynolds, Secretary to the Bengal Government, and circulated by Government for the opinions of the Judges, the Civil Services and the public; and other Draft Bills, Government opinions and amendments—papers which for intensity of interest are almost terrible—and for research and statesmanlike ability are almost equal to the transcendent importance of the subject.

But, before going into any question of indirect remedies, it might be as well to ask what speech, if any, has come from the hitherto dumb ryots themselves in all this stir and struggle?

#### RYOTS' MEETINGS, 1881.

During 1881 ryots' meetings were held in Calcutta, Hugly, Bardwan, in the twenty-four Pergunnas, Birbhum, in Nuddea and other places, showing how a public opinion is at last being created among them; at these, resolutions were regularly passed. And petitions also were prepared and signed. I propose to notice the resolutions only of one meeting—that at Calcutta—and two petitions.

These resolutions concern Mr. Reynolds' Bill. This Bill gives all resident ryots right of occupancy, but requires ryots claiming fixed rents to go back to 1839, twenty years before the Act of 1859, instead of twenty years from the date of action.

Resolution 2 protests against Mr. Reynolds's Draft Bill "as being  
"calculated to deprive the ryots and under-tenure holders of an important  
"right which they have enjoyed since 1859. That inasmuch as these  
"sections require ryots and tenure holders in permanently settled estates  
"claiming a fixed rent, to produce evidence to show that they have been  
"in possession of their holdings at such a fixed rent ever since 1839, and



"not for twenty years before the institution of the suit, as required  
 "by Act X, of 1859, and the Draft Bill of the Rent Commissioners,  
 "and that, inasmuch as in the vast majority of cases it will not be  
 "possible for the ryots to produce such evidence extending over such a  
 "length of time, this meeting is of opinion that the existing law on  
 "the subject should not be altered."

[How, indeed, could farmers in England bring such proof?]

Resolution 3. "That this meeting, while it feels grateful to his  
 "Honour the Lieutenant-Governor for the intention he has expressed  
 "to confer upon all settled cultivators the boon of occupancy right, is of  
 "opinion that the same right should be conferred upon paikast (non-  
 "resident) ryots who have been or shall be in continued possession of  
 "their land for twelve years or more; and this meeting views with  
 "regret that under the Bill, as drafted by Mr. Reynolds, paikast ryots  
 "are not allowed to retain their land against the will of the zemindar,  
 "though under the provisions of the Bill as drafted by the Rent Com-  
 "missioners, ryots who have held land for three years could not be  
 "evicted so long as they paid rent regularly." [Paikast ryots are,  
 however, few in number, and generally not poor.]

Resolution 6. "That this meeting strongly protests against the  
 "alteration proposed by Mr. Reynolds, in sections 36 and 77 of the old  
 "Bill, by which the right to build pukka-houses and to cut trees without  
 "the consent of the zemindar had been granted to the ryots, but which  
 "have been withdrawn under the provisions of the new Bill. This  
 "meeting thinks it most undesirable that these rights should be with-  
 "held from the ryots; as in the first case they should be encouraged to  
 "build pukka-houses, and as in the second to allow the cutting of trees,  
 "&c., to be regulated by local customs, would place the ryots entirely  
 "at the mercy of the zemindars, and lead to constant litigations."

#### RYOTS' PETITION, 1881.

The ryots' petition to Sir Ashley Eden, Lieutenant-Governor of Bengal, from which I propose to quote, also states that "it is hopeless  
 "to expect that men in the position of your petitioners, without any  
 "education,\* and who cannot take care of their own interests, would  
 "be found able, as a rule, to produce receipts extending over a period

\* The state of ignorance of the ryots was thus described by a native gentleman:  
 "The country is yet in primeval darkness: the millions are dumb; they do not  
 know who governs them; what is finance; who makes laws. All that they know is  
 that they live in *Maharanee's Mooluk* (i.e., in Queen's dominions), and that the  
 Deputy-Magistrate, or the Magistrate who governs them, is their *Hakim* or Judge.  
 They therefore require a protector, a guardian, to save them from oppression of the  
 strong and the rich, and from the freaks of the Mofussil Hakim."

"of nearly forty years," even "admitting that these receipts might be preserved, if proper care were taken of them." But "rent receipts are for the most part given in loose sheets of paper of the worst kind, which are stored away by the ryots in *handis* (earthenware vessels) and other receptacles of a similar nature; and it would be next to impossible, in a climate like that of this country, to preserve them for more than twenty years at the outside." "A serious blow would be dealt at the interest of the ryots" if this were "to be incorporated in the proposed Rent Law."

3. "Ryots who had been in continued possession of their holdings for a period of twelve years and more were declared occupancy ryots under the old Bill. This right is taken away from paikast ryots under the provisions of the new Bill. Your Petitioners would respectfully pray that paikast\* ryots, who have been, or shall be, in continued possession of their land for a period of twelve years and more, may be placed on the same footing with khoud-kast (resident or occupancy tenant) ryots, and may be declared to be ryots enjoying the occupancy right. It cannot be to the good of the State or conducive to the welfare of the agricultural community that any portion of the community should be reduced to the position of mere tenants at will, who may be evicted from their lands at the will of the zemindar, and who, in this respect, is at liberty to exercise an unbounded discretion, unaltered by any salutary provision of the law. But under the Bill, as drafted by Mr. Reynolds, paikast ryots have virtually been reduced to this position; for under its provisions ryots are not allowed to retain their land against the will of the zemindar, though under the Bill, as drafted by the Rent Commissioners, ryots who had paid rent for three years could not be evicted, as long as they paid their rent regularly."

*The Permanent Settlement* may be claimed by the ryots to maintain their rights, just as much as by the zemindars to maintain theirs.

And the leading ryots seem now happily to have got bold of this. The Petition says: 4. "The zemindars have been all-powerful; and though the rent payable to the zemindar was fixed in the same way as the revenue payable by him to Government, the zemindar has gone on enhancing his rent; and what, indeed, is truly remarkable, the Legislature has ratified with its authority the power of the zemindar to claim enhancement of rent—a power expressly taken away from him by the provisions of the Permanent Settlement."

\* The distinction between resident and non-resident ryots is practically abandoned. It is said that it never was quite applicable to Bengal, and it is shown that now, at any rate, when regular communities are not the rule in Bengal, and hamlets are much scattered, those terms are not definite or sufficient.

" . . . Your Petitioners cannot but complain that the time "during which rents shall not be liable to enhancement has been "limited to only ten years, which actually places the Bengal ryot in a "worse position than that of the ryot in Upper India and Bombay, "with whom the Government fixes the rent for thirty years, during "which it is not liable to enhancement. Further, your Potitioners "cannot but regret that it is proposed to allow the zemindar to raise "the rent to double its former rate."

5. "Your Petitioners are of opinion that the cumhrous machinery "provided for the disposal of rent suits in the Rent Bill is unneces- "sary, and that the rapid disposal of such cases would be greatly "facilitated by the appointment, if necessary, of additional Moonsifs "who shall take cognizance exclusively of rent suits."

So far the Petition.

As regards the zemindars, no speedy mode of realizing undisputed rents from the ryots has been devised. There will still be room (I again quote from native authorities) for the ryot to file false receipts, to prove false payments, and to produce false evidence in rent suits in our Courts of Justice. "You know the sad history of this unfortunate "country," say these native authorities, who are in favour of the ryots. "There is no check, no restraint of public opinion here. "Corruption is systematically practised in our Courts of Justice. "The ministerial officers—the Amahs of our Courts of Law—are "proverbially corrupt. They extort large sums of money from the "litigants. One can get plenty of witnesses in this country ready to "swear by anything and to give false evidence for money. In not a "few cases, forged documents are produced; sometimes the crime is "detected, sometimes it is done in such an ingenious manner that it "escapes scrutiny. Imagine the state of such a weak and unprotected "class as the ryots in a court of justice. They generally depend for "legal advice on the law agents—the Mooktars—who do not fail to "rob them of the little they have. The field for work in this country "is very extensive, but alas! the workers are so few."

#### INDIAN ASSOCIATION'S PETITION, 1881.

The other petition I propose to quote from on the subject is one from the Indian Association, also in 1881.

It is the only Association in Bengal which may justly be called the *people's* Association.

It begins by noticing the ryots' public meetings, which enable us "to form a tolerably correct idea of the views of the ryots them- "selves," and by showing the importance "that Government should

"know what the views of the ryots are." It shows "that the relations between landlords and tenants are in a most unsatisfactory state.

It quotes from the famous Regulation I, of 1793, expressly reserving the power of interfering for the benefit of the ryot.\*

The zemindars quote from the Permanent Settlement. But it is the ryots' advocates, and not the zemindars, who are the true followers of the Permanent Settlement.

There is a farther quotation from a dispatch of the Court of Directors, previous to the conclusion of the Permanent Settlement, about "interposing our authority in making from time to time all such regulations as may be necessary to prevent the ryots being improperly disturbed in their possession, or loaded with unwarrantable exactions." . . . "Our interposition" being "clearly consistent with the practice of Mogul Government" . . . "that the cultivator of the soil duly paying his rent should not be dispossessed of the land he occupied."

6. " . . . Under the Regulations of the Permanent Settlement, the zemindars have no power to enhance rents beyond the pergunnah rate—the rate that prevailed in the pergunnah at the time of the Permanent Settlement." . . . "But surely it is both opposed to reason, and to all sense of fairness, that zemindars should repudiate that portion of the Regulations which would be to the benefit of the ryot, and that they should be allowed to seek shelter behind," &c., &c.

7. " . . . The prosperity of the peasantry means the prosperity of the zemindar. A teeming population of impoverished ryots is what no prudent zemindar would like to have on his state. If the ryots find it hard to maintain themselves, they will find it much harder to pay their rents. If, on the contrary, they are prosperous and well to do, they will pay the rents punctually, the zemindars will get their dues; there will be less of litigation, less of those bitter and angry feelings which now unhappily characterize the relations between landlords and tenants."

We now return to the remedies, but have only space for two proposed remedies, both *indirect* ones, among many others to be hereafter touched upon; and on these two probably all will be agreed.

\* First, it being the duty of the ruling power to protect all classes of people, and more particularly those who from their situation are most helpless, the Governor-General in council will, whenever he may deem it proper, enact such regulations as he may think necessary for the protection and welfare of the dependent talookdars, ryots, and other cultivators of the soil; and no zemindar, independent talookdar, or other actual proprietor of land shall be entitled on this account to make any objection to the discharge of the fixed assessment which they have respectively agreed to pay.

9. *Remedy—Revival of Village Communities.*—There is an increasing feeling in favour of reviving as far as possible the ancient village communities, of paying greater attention to the village system, indigenous to the soil of India, but much destroyed in Bengal, of making the immemorial headmen of the village act more as organs of the cultivators,—in favour, too, of the custom of summoning village headmen by Government officials as these make their rounds.

It would appear as if Lord Ripon's Local Representation scheme were to begin, as it ought, by Village Representation, which is almost identical with India.

10. *Remedy—Encouragement of trades and industries.*—The consequence of the want of other employments is excessive competition for land, upon which follows rack-renting. There is little competition in India except for land.

This immense subject, which is now receiving the attention of the Government of India, can only be glanced at here.

If the condition of the peasantry had not been set to rights in the Punjab by John Lawrence, when the Mutiny broke out, where should we have been?

At the outbreak of the Mutiny, in the west of Bombay Presidency, the chiefs tried to make the ryots join the revolt. And they refused. They said: "When we were under you, what did you do for us? "Therefore, we will not rise against the English who have improved "our condition."

Our own safety is a reason for solving this tremendous problem.

To sum up in a few words:—

What is wanted is:—(1) Fixity of Tenure, or Occupancy Rights: (2) Fair rents, in a country where from time immemorial the ryot's right to have his payments fixed by the authority of Government has been recognized: (3) A complete public record of the holdings of the ryots: (4) Free sale is doubtful; but, if free sale, then the sale to be only to another cultivator. What is wanted is: (5) To take from the ryot the power of contracting himself out of his rights: (6) Effective penalties for illegal exactions beyond the rent: (7) Above all, a regular survey in Bengal; the re-establishment of public accountants: (8) In Behar all evils are intensified and the above wants and others more keenly felt. Compensation for disturbance is wanted; an accurate public register, and a much more active administration. As indirect remedies: (9) Revival of village communities; and (10) Encouragement of trades and industries are wanted.

The CHAIRMAN (Sir BARTLE FRERE) said : Ladies and Gentlemen,—The eloquent words to which you have listened are, I need not tell you, the words of one of the most practical, as well as one of the most humane of modern philanthropists. I know of none now living—I know of very few whose names are recorded in history, whose labours in the practical work of relieving the suffering of the human race can be compared with those of Miss Nightingale. (Cheers.) But I would remind you also that her ideas have always been eminently practical. She has never, as far as I know, touched upon any part of the great field of human suffering without endeavouring to find some practical remedy, and when you read in full the paper of which Mr. Verney has given us such an excellent summary, I feel sure you will agree with me in thinking that it is one of the most practical papers in the long literature of this subject which any of us have ever yet read. Her object is, not to make public the shortcomings of the administration on the sufferings of those with whose case her paper is concerned, but to point out a remedy. I say these few words because I trust that in the short time which can be allowed to any of us who speak upon this subject, we shall not be met with mere declamation regarding the rights of the zemindars or the wrongs of the ryots, or with mere empty eloquence upon any part of the subject, but that any gentleman who wishes to speak on the subject will address himself to pointing out some practical remedy for the practical wrongs and evils which Miss Nightingale has so eloquently described. (Cheers.)

Mr. JOHN DACOSTA said : Mr. Chairman, ladies, and gentlemen, —The paper which has just been read bears the name of a lady distinguished by many eminent qualities and valuable services rendered in the cause of humanity. Before availing myself of the invitation to discuss its contents, I would disclaim all intention of impugning the purity of the motives which actuated the authoress. The object of the paper seems to be to influence public opinion in favour of a Bill recently introduced in the Legislative Council of India, by which it is proposed, among other things, to dispossess landowners in Bengal of certain proprietary rights for the benefit of their tenants. In order to create the desired impression, the Bengal landowner, the zemindar, is represented as an oppressor, a rapacious rack-renting landlord of the worst type, while the Bengal tenant is described, at pages 188 and 189, as an underfed, degraded, helpless creature, who is deteriorating, who can “*only obtain redress by going to law, but who is ruined if he goes to law.*” Now, what does the Lieutenant-Governor of the province tell us on this subject? Sir

Ashley Eden, who has recently vacated that appointment, expressed himself in the following terms on the condition of the Bengal ryot on his return from an inspection tour, undertaken shortly after his appointment as Lieutenant-Governor:—"I have just returned from visiting the eastern districts, and I may say, on this occasion, when my administration is only at the commencement, what I could not well say at a later period without seeming to seek credit for the Government of which I am the head. Great as was the progress which I knew had been made in the position of the cultivating classes, I was quite unprepared to find them occupying a position so different from that which I remembered them to occupy when I first came to the country. They were then poor and oppressed, with little incentive to increase the productive powers of the soil. I find them now as prosperous, as independent, and as comfortable as the peasantry, I believe, of any country in the world—well-fed, well-clothed, free to enjoy the full benefit of their labours, and to hold their own, and obtain prompt redress for any wrong." This was said about five years ago, and nothing that has since been officially and publicly stated, either by Sir Ashley Eden or by his successor, has shown the Bengal ryot to have degenerated into the miserable creature mentioned in the paper, nor even the progressive improvement so emphatically noticed by the ex-Governor, to have been arrested in its course. The statement I have cited, disposes, therefore, of the assertion made as to the present deplorable condition of the Bengal ryot; but it also disposes of the sweeping charge brought against the Bengal zemindar; since progress, independence, and prosperity could not have been the lot of the ryot, if the zemindar had been the powerful and unscrupulous oppressor which he has been represented to be. Sir Ashley Eden's statement referred to Eastern Bengal. (Hear, hear.) In Behar the peasantry has not been equally prosperous, and the paper alludes, at page 193, to a case where the ryots, under the pressure of excessive rents, had abandoned their fields and homesteads, and fled into Nopal. The writer, however, omits to say that this occurred on an estate managed, not by a zemindar, but by Government officials, placed in charge of the Durbhunga estates during the minority of the zemindar. The number of these unfortunate emigrants was officially reported to have been about 20,000, comprising some 5000 families. It cannot be a matter for wonder that when such an example was set by the Government in the largest estate in Bohar, the condition of the ryot in that province should not have attained the degree of prosperity enjoyed in Eastern Bengal. Official reports, however, state that things have since much

improved in Behar. Turning once more to the description of the Ryot, given at pages 188 and 189, as an "*underfed, degraded being, helplessly exposed to famine, mostly in debt, and at the mercy of the landlord, who can impose on him what cesses or taxes he pleases;*" although this description is inapplicable to the peasantry in the tract of country to which the proposed legislation is to extend, it applies nevertheless with fearful truth to many millions of cultivators in India, chiefly in the Madras and the Bombay Presidencies, where the Government itself is the landlord. ("No, no.") It has been alleged that the desire to promote the welfare of the Indian ryot has prompted the measure mentioned in the paper. This, however, is inadmissible, seeing that those most in need of help and protection—viz., the Madras and Bombay cultivators, are excluded from the operation of the Bill, while the benefits sought to be conferred by it are reserved for those who have been declared by the highest authority on the subject to be comparatively prosperous and generally to need no special help or protection. In concluding, therefore, I would earnestly beg of those who take an interest in the welfare of our Indian fellow-subjects, to withhold their judgment until they can hear the other side of the momentous question involved in the Bill, and until they can learn its full scope and its real purport. (Hear, hear.)

Mr. W. J. GRAZEBROOK.—Mr. Chairman, ladies, and gentlemen,—I felt somewhat discouraged by the remarks which the chairman has made to the effect—that he wished to hear some practical suggestions. Unfortunately I have not been in India, and I am afraid I cannot offer you any practical suggestions. At the same time, in reading this paper, I felt that whilst I will yield to no one in my great admiration of Miss Florence Nightingale's character—whilst I remember with heartfelt gratitude her services to our army in former days, and whilst I feel that at this present moment she is devoting her attention to a subject worthy of her great benevolence—namely, in attempting to succour and help those who are in distress and in trouble—yet still it occurred to me on hearing this paper read, that the colours were painted in somewhat too strongly, and that the statements made were somewhat too severe. It is almost impossible for me to believe that our administrators had so entirely neglected their duty that spectators passing through the Bengal province could see the ryots so completely and utterly oppressed as it is stated in this paper they are. I was very glad to hear one gentleman speaking on the side of the zemindars, and stating that this is not the rule, but that as a matter of fact Miss Nightingale has spoken of only very



exceptional cases. Well, gentlemen, as I have said, I have nothing practical to offer, and I think I had better give place to some gentlemen who really have been to India and can speak from experience. I can only state that as an Englishman, if there are such things in our Indian empire, I am ashamed of our administration, which we must always remember has taken the place of other administrations and ought to have carried out its duties in a far more benevolent and kindly manner. The weak ought always to be the very first object of a government's attention; the strong can take care of themselves. (Hear, hear.) If our fellow subjects are in such ease in India, I can only say that it takes from one some of that pride with which I have always hitherto regarded our Indian empire, considering the grand benevolence with which we have governed a vast conquered territory such as India, and never sought to withdraw its revenues for our own private purposes and benefits, as most other Powers would have done in dealing with conquered provinces. (Cheers.)

Mr. ROPER LETHBRIDGE, C.I.E., said: Sir Bartle Frere, ladies and gentlemen,—In the very few remarks I shall venture to offer on the exceedingly interesting paper to which we have been listening, I have the painful consciousness that I shall probably be on the unpopular side. For no one can have listened to the benevolent words of the noble-minded lady whose paper has been read to us, without wishing to be able to agree with her on all points. It is always pleasanter to take the side of the poorer classes against the richer. It is always something of an invidious task when justice and morality compel one to defend the richer class against the encroachments of the poorer. Suppose Miss Nightingale had spoken to us this afternoon with equal eloquence of the frightful miseries of the poor in the neighbouring street, and how they are oppressed by the hard-hearted baker there, who obstinately refuses to sell his bread below the market price to the famishing wretches. Many warm-hearted people might be inclined to rush off immediately and loot that baker's shop and distribute his loaves. But if any man present happened to know something of the private circumstances of the baker—happened to know that he was a good hard-working citizen struggling to make both ends meet, with a large family to support, heavy rent and wages and high rates and taxes to pay—and happened further to know that the market-price of bread is so fixed as to leave him a very slender margin of profit wherewith to meet all these demands—that man might perhaps feel himself rather a poor creature at being unable to share in the benevolent fury of the rest of the audience;

but assuredly he could not honestly be an enthusiast in the work of looting the haker's shop. Now, ladies and gentlemen, I fancy that a good many Anglo-Indians here this afternoon must feel very much like the man who knew all about the haker. We know something from personal experience of these zemindars, who are alleged to be such atrocious oppressors, and of these ryots who are supposed to be so helpless and down-trodden. Mr. Dacosta has anticipated me in quoting the very important testimony of Sir Ashley Eden, undoubtedly the very highest authority on the point, as to the condition of the ryots in Eastern Bengal. I have myself lived a good many years in the rural districts of Central Bengal; and as I was there as an educational officer—belonging neither to the executive service on the one side, nor to the planting or zemindari interest on the other—I think it will be allowed that the results of my observations were likely to be at any rate impartial and unbiassed by personal considerations. I have moved about among the villages of the Hughli, Kishnaghur, Jessore, Bardwan, and Puhna districts; and with regard to the average condition of the Bengal ryot, in those central districts with which I am familiar, I must say I found him a very different person from the helpless miserable wretch depicted by Miss Nightingale. Of course there is poverty—where is there not?—and there are varying degrees of poverty, and of the fortitude that bravely endures hardships. But, as a rule, I found the Bengal ryot a shrewd, good-humoured fellow, fairly contented in times of prosperity, not unduly cast down in times of adversity, and, above all, fully aware of all his just rights and well able to defend them. As to *abwabs* and illegal cesses, I am not here to defend them in the slightest degree, nor is such defence any part of the case against the Bengal Tenancy Bill. But this I may say, I am very confident that, where any illegal cesses are now submitted to by the ryots in Central Bengal, it is because they look upon such cesses as perfectly equitable customary additions, to a rental that would otherwise be inadequate and be liable to enchantment. And as to the remarkable list of such cesses given by Miss Nightingale, I would remark that it reminds me of the Frenchman's description of English copyhold tenure—which was arrived at by lumping together all the quaint survivals of various ancient forms of that tenure, until it was made to appear that the English copyholder's whole life was one succession of unpleasant feudal incidents. Turning now to the zemindars, I would first of all call your attention to a curious historical fallacy, which I believe to have grown up in regard to the position of the zemindars at the time of the Permanent Settlement. We were told in the old records and histories, that they

had been the "farmers of the revenue" under the Mohamedan rulers of Bengal; and this description of them, though perfectly accurate, has been so far misleading, that many people have grown to think of them as mere publicans or tax-gatherers. They were, it is quite true, "farmers of the revenue," under a system of which the theory was that the ultimate proprietorship of the land is vested in the State. But why were they "farmers of the revenue?"—simply because they were the men in possession; and, for all practical purposes they were, undoubtedly, and in the fullest sense, the proprietors of the land. That they were so regarded at the time is proved beyond all dispute by the words of Lord Cornwallis, and many other authorities; and indeed, of many of these noble houses—such as those of the Maharajas of Nuddea (or Kishnaghur), Burdwan, Natterc, Birbhum, and others—the history during the Mohomedan period is extant, and was edited by myself for *The Calcutta Review*. And the beneficial effects of the Permanent Settlement, both to the revenue and to the country, have been hardly disputed. To the revenue it was at first so beneficial, that multitudes of zemindars were ruined under its early operation; and it seems hardly fair that after having for nearly a century derived so much benefit from it, we should now turn round on the zemindar and propose what is virtually in many important points an abrogation of that settlement. But it may be said—However honestly or properly the zemindars came by their rights under the Permanent Settlement, those rights ought to be confiscated or curtailed if it can be shown that they have been abused. Well, ladies and gentlemen, I am prepared to admit that. But when I look back through the annals of Bengal during the last eighty years, I find the record of such amazing material improvement of the country by these very same much-abused zemindars, as can hardly be surpassed in the history of the world. At the time of the Permanent Settlement, the country of Bengal was little better than one vast jungle, infested by wild beasts, with cultivation only in patches, and communications dangerous or impracticable. Whose capital is it, I ask, that has cleared and cultivated the land?—that has dug tanks, drained marshes, erected bunds, constructed roads?—that has, in short, not only made the country habitable, but has turned the swampy forest into a smiling rice-plain? And I find these same zemindars always foremost in all good works, whether for education, for famine-relief, or what not. I can speak feelingly here; for when I was Principal of the Kishnaghur State College, and the Government had been unable to do full justice to that college for want of funds, the zemindars of the Nuddea and neighbouring districts nobly came forward as one

man in answer to my appeal, and provided a munificent endowment. In no country in the world are schools, charitable hospitals and dispensaries, and similar benevolent institutions more generously supported by the landowners than in Bengal; and Sir Richard Temple's reports bear striking testimony to the magnificent efforts made by these zemindars at the time of the great famine—how they came forward with lakhs and lakhs of rupees for relief-works, for *taccavi* advances, and for other useful purposes. Altogether, I believe that the munificence of the Bengal zemindars in works of benevolence among their tenants, and their educational endowments, are a glorious monument of the public spirit of that community. Then you must remember that the burdens on the zemindars are not only very heavy in various ways, but they are, as far as the Government demand goes, absolutely inexorable. The demand of Government must be paid to the very day. That was really the origin of this Bengal Tenancy Bill, which we have come here to discuss this afternoon; and not any agrarian complaints or grievances, as one might have imagined from this paper. (Hear, hear.) I was the editor of *The Calcutta Review* during the whole period of this controversy, and therefore followed it very carefully. I remember quite well that the proposal for new legislation was made because certain additional burdens were laid on the zemindars of Bengal—certain additional burdens which were not contemplated under the Permanent Settlement. That was about the year 1871. I refer especially to the road cess under Sir George Campbell's rule. At that time there had been some amount of discussion as to whether the Government demand upon the landowners could legally be increased under the Permanent Settlement. However that may be, it was increased; and the understanding was that the zemindars should receive additional facilities from the Government for obtaining the necessary aid from their tenants to enable them to pay the Government, especially with regard to this additional road cess. Sir George Campbell, I believe, promised to introduce an Act to that effect. Certainly such an Act was contemplated, and I believe that one was actually drafted with that view by Sir Richard Temple, but I think it was put aside by reason of the dreadful famine of that period. I believe also that Sir Ashley Eden intended to take up the subject on these lines. I am not perfectly aware of the facts, but I believe I have stated them correctly; and probably Sir Ashley Eden was only diverted from carrying out legislation in this particular direction by what I imagine to have been a kind of agitation, got up more in England than amongst the ryots of Bengal. The spread of the notion that we must have

everywhere the three F's, and ideas of that sort, probably diverted the Government of Sir Ashley Eden from their original intention, which was to give additional facilities to the landlords for meeting the demands of the Government—diverted them from that notion to the notion of giving the tenants fixity of tenure, fair rents, and free sale, and all the rest of it. The time allotted to me has now expired; but I beg to be allowed to add just a few words with reference to the Bill itself. I have studied its provisions with a great deal of interest, because it is a subject that seems to me to be one of enormous importance in an agricultural country like Bengal. The Bill, it seems to me, will have the effect of driving both zemindars and ryots into courts at every turn. It will set class against class, and will take away all freedom of contract. I believe (and it is a belief based upon actual personal experience) that the ryot is as well qualified to understand his contracts and to insist on having them carried out as any one present here. (Hear, hear.) Then again, the bill pretends to give the landowner the right to choose his own tenants, by giving him a right of pre-emption; but this right can only be enforced by going into court, and the inevitable result will be an enormous amount of litigation. Once more: I should be by no means averse to a moderate measure that would tend, in an amicable way, to enlarge and secure occupancy rights. But the present Bill, in addition to other provisions in this direction, introduces "compensation for disturbance" at an absurdly exorbitant rate—ten times the proposed enhancement of rent—which must have the effect of forcing from the zemindar occupancy-rights, even for a bad tenant, under the penalty of a heavy and ruinous fine. Mr. Ilbert's remarks seem to me to indicate that the Government has set up a vicious and unjust principle in its general dealing with the whole question; for it is evident that he refuses to treat the zemindars as proprietors of the soil, considering them rather in the light of managers, or trustees, or limited owners. As to Miss Nightingale's proposed remedies, I can heartily agree with her in regard to one of her proposals—which I believe to indicate the true remedy for the pressure on the land—namely, that Government should direct all its energies to the encouragement of manufacturing, mining, and other industries. For that purpose, the one thing needed is for the Government to attract, by every means in its power, the importation of English capital—to give facilities for opening up the country, by railways, by mining concessions, and the like—and to encourage English capitalists to feel that their money and their supervision can be as securely employed in India as in England. (Cheers.)

Mr. ARTHUR KNATCHBULL CONNELL: I suppose that everyone who has listened to this eloquent paper of Miss Florence Nightingale has come to the conclusion that the Government of India is a model of all that is lenient, and all that is just, and all that is virtuous, when dealing with the natives of India; but that the zemindar is extortionate, profligate, unjust, and "even as the publican." I think that a few facts I may mention may perhaps give you a slightly different idea. In Sir John Strachey's work on the finances of India, he mentions in one chapter—chapter xix.—that some of the worst cases of rackrenting in Bengal have occurred in those estates administered by the Government—that is to say, in the estates of zemindars who have fallen into difficulties, and had to have their estates administered under the Government. He particularly mentions certain of the Durbhunga estates by name. So that if the zemindar has erred, he has, at any rate, had the encouragement of the Government. But besides Sir John Strachey's work, I also find the same facts mentioned in a pamphlet by Mr. C. T. O'Donnell, an experienced magistrate of Bengal, entitled "The Ruin of an Indian Province" (Messrs. Kegan Paul and Co., 1880), in which he gives quotations from the administrative reports of Sir Ashley Eden. Then another point, in which the Government encourage the zemindar to somewhat strain his powers, is in the levying of cesses. The last speaker mentioned this. The Government imposed a road cess in 1869 and 1870, and then a famine instalment cess a few years later. Now let us see what happened with regard to that road cess. In 1869-70 the Government proposed that cess in Bengal, in order to carry out some road improvements. But in 1879-80 they appropriated that cess for general administrative purposes, and then the villagers had to have meetings in various parts of Bengal, in order to collect a further contribution to carry out those road improvements, which the Government ought to have provided for by that cess. So that again we see that the Government have encouraged the zemindars in their illegal practices. Then, I notice in the Administrative Reports for Bengal that there have been an enormous number of weavers and boatmen thrown out of work by the repeal of the Cotton Duties, and the supersession of the traffic on many of the river branches by the railways. Those railways have been partly paid for out of the taxation imposed upon the natives—in other words, native industries are undersold by a Government monopoly, and the workers are forced upon the over-crowded land. Then, as a fourth point, I may mention that when we talk of the famines of India, it must be remembered that during the last great famine there were throughout India five millions

of lives lost, and very many millions of cattle. None died in Bengal. There was, of course, a large expenditure in order to avert the famine, but, as a matter of fact, no lives were lost. The loss of five million lives was spread over Madras, Bombay, Mysore, the North-West Provinces, and the Punjab—the Punjab which was said to be one of the richest presidencies, lost 349,000 people; the North-West Provinces lost  $1\frac{1}{4}$  millions in the famine, and in the year following one million died from fever, partly due, no doubt, to the sufferings entailed by the famine. Another fact that perhaps ought to be mentioned is this. It is quite true that the Bengal zemindar does levy these illegal cesses, and gets much more out of the land probably than he ought to, but it must be remembered that all he takes from the land he spends on the land. He is a resident landlord—it may be he spends it unprofitably, but still he does spend it on the land. Let the Indian Government get hold of it, and what will they do? Make canals. If any one wants to read about the Bengal canals let him read one of the Blue Books (Appendix V) published by the Famine Commissioners. He will find that all the canals in Bengal since they have been made have been a charge upon the revenues of the State—that is to say, they have not earned any revenue, and in order to pay the interest on the capital borrowed in the English market, the Government have had to put local cesses on the Bengal zemindar and on the ryot, in order to cover the outlay on these canals, which have never paid. Therefore I say that if you carry this Bill you must be very careful that the Government having once modified the existing conditions of the permanent settlement, do not say to the zemindars, "This permanent settlement is now practically at an end, and we shall begin to apply the revenue we raise upon you in making canals, even though they do not pay." That seems to me to be a great danger. I do not say that the Government will do that, but I think people in England ought to be very careful—those who take any interest in Indian questions—in watching the action of the Government and in seeing that the benefits which may be given to the ryots by this change are not taken away in the long run by raising a land tax on the zemindar, and thereby appropriating a large amount more of the wealth of the country, and apply it to canals which will not pay.

Mr. H. G. KEENE, C.I.E.—Mr. Chairman, ladies, and gentlemen—when I sent in my card to you to secure an opportunity of speaking, it struck me that there might be something said on the subject of this very interesting paper by the distinguished lady who has taken so

much interest in the natives of Bengal, from the point of view of a person who had never been in Bengal at all. (A laugh.) That may be a paradoxical statement, and I have since felt afraid that after all I may not be able to throw much light on the subject. But what I am anxious to submit to you is this. In the provinces in which I had the honour of serving for thirty-five years, I have had ample opportunities of observing the people. As the last speaker remarked, very large numbers died at the time of the famine, and I admit they are not yet in a position to meet those dreadful calamities with perfect success. But that is not the subject before us now, and therefore I need not apologize for not entering upon it. We are here to-day to discuss the subject of the ryot in Bengal, or the Lower Provinces as they are called, and the possible remedy for their sufferings. Of course I am not in a position to mediate between the gentlemen who have spoken and contended that the condition of the Ryot has, or has not been over coloured in this paper. The gentleman opposite to me gave utterance to a very manly sentiment, which (if I do not do him injustice in my version of what he said) was this, "The English should always be found on the side of the weak and vigilant to redress the oppression of the strong." I quite agree with that sentiment, and if there is a country in which it is more the duty of the ruler to do that than in another, it is in any Eastern country which is put under our control. I am sure we must all be agreed upon that, and if the British Government has not always done so let us hope that in this respect they may appropriate the devise. "It is never too late to mend." I have a few papers in my pocket which would throw light on the condition of the population of the North-Western Provinces, but time will not allow of their being read. I should like to know whether there is any gentleman here who could say where there is a more frugal, careful, manly, law-abiding people than are to be found in those Provinces? If it be true, as we are told, that the ryots of Bengal are not equal to the task of taking their own part, I think as has been proposed by Miss Nightingale—and I humbly give my voice in support of that proposition—the ryot should never be allowed to contract himself out of his rights. In the North-West Provinces we have the singular spectacle of a population increasing at almost a greater rate of increase than the country can bear; when you add to that the fact that the population of the North-West Provinces alone numbers 60 millions of souls, that is to say, is as large as the purely Muscovite population of the Russian empire, that in some parts of the country with which I am acquainted there is a human soul to be supported by every acre of land, that there are only perhaps about ten large commercial towns in the whole



of that tract of country, and that the whole of that population is depending directly or indirectly upon the land for its support—we see, I think, that we can no more leave the strong and the weak to be regulated simply by the rules of contract, than we could leave Railway Companies unfettered power as to what they should charge, or how many trains they should run, or whatever else it is that the Government think it right to control them in. (Hear, hear.) That being the case the great statssmen of the past in the North-West Provinces have always laid it down as a rule, that in settling the land revenue—I do not come here to defend any particular method or form of settlement, but whatever settlement be made it was always the principle of those great men that there should be contracts called sub-settlements taken from the landowner to provide for the due protection of the ryot. I trust, therefore, I am not saying too much when I venture humbly to support the proposal of Miss Nightingale, that in any measures taken for the protection of the ryots, due regard being always maintained for the rights of property, there should be such protection given to the ryot as shall prevent his being made the sport of contract, which perhaps he does not understand, and by which he is almost certain to suffer. (Hear, hear.)

Sir GEORGE CAMPBELL, K.C.S.I., M.P.: Sir Bartle Frere, ladies, and gentlemen,—I feel that the subject which is before us this afternoon is a large and a difficult one, and one that it is almost impossible adequately to discuss in a meeting of this kind. At the same time, I have felt very great pleasure in coming here to-day, not only from the great interest I feel in this subject, but in order to pay a tribute of respect to the great name of Miss Florence Nightingale, that noble-hearted lady who has devoted herself to the support and the betterment of the poor, oppressed, and unfortunate throughout the world, in a way which has made her name honoured, not only throughout the country and throughout Europe, but, I may say, throughout the world. It has been a very great satisfaction to me to know that Miss Nightingale has applied her great talents and great energies even on the bed of sickness, on which, I am sorry to say, she too frequently lies, to raise the condition of the ryots in India. I am quite free to admit that the paper which has been read to you to-day is not altogether in the nature of a paper claiming absolutely judicial impartiality. I think that, on the contrary, it is rather a generous advocacy of the case of the ryot, and it is right—I say it advisedly—it is right and well that it should be so, for who shall speak for the cause of the dumb ryots if Miss Nightingale do not? (Cheers.)

The zemindars are extremely well able to take care of themselves. They have their advocates in every quarter; their advocates are not wanting in this room, as we have already heard. There is my friend, Mr. Dacosta—a name, I am quite sure, we all honour—he has striven, and honestly striven, to do good to India; but no doubt his past associations, to some extent, connect him with the mercantile and capitalist element in India, and I by no means accuse him of unfairness in saying something on the other side to that which has been advocated by Miss Nightingale. On the other hand, there is a gentleman on the platform who has addressed you (Mr. Roper Lethbridge), and it seems to me that although he claimed to be impartial, his speech from beginning to end was a pure and simple and unmitigated advocacy of the cause of the zemindars. He painted the zemindars as possessed of every virtue under the sun. Now, without going into the matter very deeply, I can hardly agree with that highly-coloured picture, nor, on the other hand, would I by any means paint the zemindars as monsters in human form, and people who are always anxious to do everything that is evil. I think that the great majority of the landowners in Bengal are like people who are in similar circumstances in other parts of the world. Upon the whole, I think they would prefer right-doing to wrong-doing; but, like people in other parts of the world, they have considerable regard to their own interests and in matters where the interests of the ryot is, to a certain extent, opposed to the interest of the zemindar, you cannot expect that they should be absolutely impartial. They have, doubtless, inherited practices which have come down to them from their forefathers, which I think are unjust to the ryot, and which need control of law. A picture of the ryots of Bengal was given us to-day, drawn from a report of Sir Ashley Eden. Now, there is no man for whose opinion I have greater respect, no man more conversant with this matter, no man whom I can less desire to contradict than Sir Ashley Eden; but there is this significant explanation of his statement—that it was a statement with regard not to the ryots of Bengal in general, but to the ryots of Eastern Bengal. (Hear, hear.) There are sixty or sixty-five millions in Eastern Bengal, and they differ very much. It is the case that the ryots are comparatively prosperous and well-to-do. And I think the fact that they are well-to-do is rather an argument, and a very strong argument, in favour of the view taken by Miss Nightingale; because why are those ryots prosperous? Because they have learnt to hold their own. It so happens that these ryots are Mohamedan, and a people who have adopted that somewhat democratic religion, and who have emancipated themselves from the

trammels of caste, who are educated and, to some extent, independent; and they have held their own against the zemindars as some people think almost too successfully. Some people think they have almost succeeded in getting the better of the zemindar, and I may mention that the Legislation, which is now proposed, did in its origin and inception arise from the cry of the zemindars that they could not get justice against the ryots of Eastern Bengal. But in other parts of Bengal the case is very different, especially in the western parts. In Behar, for instance, I think the Government reports show that the condition of the ryots is the most distressed of any people in India, although they have probably the most fertile soil in India. Under these circumstances, I am one of those who think that the Government of India and the Government of Bengal have acted wisely and well in taking up the case of the ryots of Bengal, and in trying to do as much justice as we have learned to do in Europe, and in this country, and in Ireland, between landlords and tenants. Not only does it seem to me that the case of the ryots of Bengal is, at least, as good as the case of the Irish tenants; but I believe it is a very much stronger case. It seems to me that the key of the whole argument of Miss Nightingale is contained in these words: "Well may Niebuhr, speaking of the permanent settlement, call it 'one of the most well-intentioned schemes that ever ruined a country.' But he was wrong in his word. It was the violation of the permanent settlement that did this." That, sir, seems to me emphatically to be the case. At the time of the Permanent Settlement the zemindars were made the actual proprietors as between them and the Government, but the Permanent Settlement most distinctly laid down, and provided in the strongest terms, the rights of the ryots. It provided that the ryots should have security of tenure, or what we call fixity of tenure, and security of rent, or what we call fixity of rent, and many other advantages. Now, modern legislation, in the view of those who have the government of India, should take the form of trying to restore the rights distinctly prescribed for the ryots under the Permanent Settlement, of which time and untoward circumstances have, to a great extent, deprived them. It is for that reason that I venture to think that Miss Nightingale has done very great service in placing before this Association, and, I hope, through this Association before the people of England the case of the ryots: and I again say that if Miss Nightingale's paper is rather an advocacy of the case of the ryots, than a calm judicial statement, it is well it should be so; and I hope her statement will be listened to by the public in that sense. (Hear, hear.)

The Right Honourable Lord STANLEY of ALDERLEY: Sir Bartle Frere, ladies and gentlemen,—The author of this paper is so well known as a philanthropist, and her character as such may have obliged her to write as she has done, so that it will not be detracting from her merits if I say that before I read this paper I was much very much in doubt as to the Bengal Rent Bill, and now that I have read it I am entirely against it. I think the pith of the paper is to be found in these few words at page 5: "The spirit of the day all tends to improving the condition of the masses, and above all of those hitherto escaping observation—the peasantry—all over Europe. Now India, almost as big and as thickly populated as Europe, is nearly all peasantry." The "spirit of the day" certainly is in favour of tinkering the state of the rural population, forgetful that the peasants in India, as in Europe, are still as Virgil described them, *Fortunati nintum agricolæ*. It is also true that India is nearly all peasantry, and there are too few zemindars, in consequence of the policy of many otherwise great men in India, namely to bring all India to what they call the one dead level. Their policy was that of Tarquin, or if it was not intended to be so, it had the same effect: they struck down the great men, thinking that the rural peasantry would be all the easier to govern. It is just the other way. So long as we have the zemindars and the aristocracy of India, we have a means of communication between us and the people of India. (Hear, hear.) Without that the Government of India would have but little hold upon the people. There are one or two passages in the paper to which I should like to object. On page 190 there is a quotation to which no name is attached. I should be glad to know who it is who is described as having "well said" that "ryots have been toiling in Madras and starving in the Deccan, in order that gentlemen in Bengal may enjoy incomes of hundreds of thousands a year." This statement is in itself absurd, and, as the Madras Presidency is entirely separated from Bengal, I do not see how toiling and starvation in Madras can have any effect whatever upon Bengal. (Hear, hear.) Then we come to what are called the remedies, and one is "Encouragement of trades and industries." We must not forget that we have lately removed the cotton duties, which is certainly not encouraging the trades and industries of India. (A laugh, and hear, hear.) Then another remedy is "Occupancy rights, or fixity of tenure." I can hardly understand how anybody can vote in favour of fixity of tenure, after the experience we have had with Ireland recently. I read lately an article in the *Reis and Rayyet*, a journal published in English at Calcutta by a writer, evidently a Liberal—I should say an extreme Radical. This article was, curiously enough, against the Bill, and in

favour of maintaining the rights of the Zemindars. Indeed, from the arguments it contained about the violation of certain principles of political economy, I almost thought it must be an article taken from some English newspaper, and originally written as against the Irish Land Act. (Laughter.) Whilst upon this point of fixity of tenure, it is curious that the paper does not mention what is to be done with the Sankar or money-lender—I believe a greater danger to the ryot than the zemindar. (Hear, hear.) A most important point touched upon by Mr. Roper Lethbridge was this. Some ten or twelve years ago considerable encroachments were made upon the rights of the zemindars under the Permanent Settlement. In my opinion these infractions of the Perpetual Settlement should be set right, and until that is done it is not just that any Bill such as that now proposed by the Indian Government should pass. (Hear, hear.)

Mr. C. W. ARATHOON—Mr. Chairman, ladies, and gentlemen,—I rise upon this occasion to address you because I feel so strongly that this Bill, if it passes into law, will be to the great detriment of India. It will be, I say, to the detriment of the ryots themselves—those for whom Miss Nightingale has so ably pleaded. The occupancy rights which are given to them will very soon pass out of their hands into those of the saakars, money-lenders, and the minor talookdars and howladars, who will then obtain all the benefits to be derived from the Bill. If you give the ryots these occupancy rights, you will (so far as I understand the proposition) forbid them to contract with the zemindar for the giving up of such rights, and at the same time you allow them to sell their tenure. Now, who will get hold of that tenure? Will any gentleman here venture to say that he thinks and believes that that tenure will remain long in possession of the ryot—by the ryot I mean the actual cultivator of the soil? No, sir; I assure you, and those who have been in India will assure you, as the native zemindars who were present at the Council in India assured the Council, that those occupancy tenures will not long belong to the ryot, but pass to the middlemen, and other persons who will have far better means of oppressing the ryot, and that the very object for which principally the Act is meant will be defeated. Now a great deal has been said about the zemindars not being proprietors of the land. I ask, what were they under Mohamedan rule? The very existence of such estates as Nattore, Doomraon, Darhlinga, Burdwan, Betia, and others, show that there were zemindars under Mohomedan rule. What were they—tax-collectors? Certainly not. I defy anybody to prove that they were mere tax-collectors. They were a powerful land-owning class under the various Mohamedan Govern-

ments. And what happened afterwards? We find that the East India Company actually purchased the zemindari rights of the 24-Pergunnahs from the Emperor of Delhi. Can we suppose that the zemindars were mere tax collectors at that time? Surely the East India Company did not buy a mere tax-collectorship! They bought a certain property and retained it until it was again made over by the Permanent Settlement to its original possessors, the zemindars. But to come to our own Government. Do the regulations of 1793 leave any doubt that it was then expressly declared and recognized that independent talookdars and zemindars were the actual proprietors of the soil? See Regulation 8 of 1793, and others; the Madras Regulation 25 of 1802; 2 of 1806. Can anyone doubt that almost absolute powers were given to zemindars? The zemindar was at liberty to impose rents on every *bigha* of land within his estate. He could dispossess all persons who set up rent free grants of a date subsequent to December, 1790. Lands of absconding ryots or of those dying without leaving heirs reverted to him. He could levy any rent and assess rents at a higher rate on better qualities of land and on an increase of produce. The ryots could not cut trees or dig tanks without the zemindar's consent. These are some of the provisions gleaned from the regulations, and can any one say that these provisions have been respected in the Bill? I have here the words used by Lord Cornwallis in his minute of September 18, 1789. He says, "Mr. Shore has most ably and, in my opinion, most successfully in his minute, delivered in June last, argued in favour of the rights of the zemindars to the property of the soil." And again:—"Although, however, I am not only of opinion that the zemindars have not only the best right, but from being persuaded that nothing could be so ruinous to the public interest as that the land should be retained the property of the Government, I am also convinced that, failing the claim of right of the zemindars, it would be necessary for the public to grant a right of property in the soil to them." Now, is that not sufficient evidence, coming, as it does, from the author of the Permanent Settlement himself? Surely that is clear proof that what the Government then did was to pass on the zemindars actual proprietary rights. The opinion of Lord Cornwallis and Sir John Shore (afterwards Lord Teignmouth) was also the opinion of Mr. Francis, the colleague of Warren Hastings. The same view has been expressed by no less an authority than Sir Barnes Peacock, then Chief Justice of Bengal, and by the present Chief Justice in his very painstaking and able minute. The Judicial Committee of the Privy Council, too, in a judgment delivered by Lord Lyndhurst, expressed the same

opinion; and has not the policy, since the annexation of Ondh, been the same, to form a landed aristocracy? Am I to be told that such estates as Bulrampore Mahomoodabad, the vast estate of the late Sir Maun Singh, and such others are not proprietary estates, but that those eminent rajahs are mere tax-collectors, like the etmandars of Eastern Bengal, who go to the ryots and under-tenants collecting rents. Nothing, sir, that I have heard has convinced me that the landed aristocracy was not created as the proprietors of the soil in the fullest sense. But even assume for one moment that the zemindar did not have given to him full proprietary rights, but simply an interest, and admittedly a large interest in the land; what right have the Indian Government now to come forward and say we will take away some of these rights. We will not only give the tenants occupancy rights, but we will treat them as *non compos*, and not capable of judging for themselves what their true interests are, and we will make it impossible for them to contract themselves out of their rights? It is proposed to give the ryots the right to sell their tenancy to anyone but to the zemindar. There are often cases in which it would be highly advantageous to the ryot himself to sell his occupancy rights to the zemindar. The Indian law reports show numberless cases in which the ryots have gained infinitely by such contracts with the zemindars. Then, sir, as I shall not have time to touch upon all details in this paper, let me refer particularly to one point. Since 1859 the ryot has had a right of occupancy, that is to say, a right which accrues only upon the identical land held. Now, it is proposed by this Bill to extend that right to all lands which a ryot may hold in a particular village, if he has had twelve years' possession of any one spot. I say that that is simply iniquitous. It is based on the complaint that the zemindar has, in some cases, shifted the ryot from one field or plot of land on to another, and so avoided the right of occupancy altogether. But I contend that such proceedings, were they even less exceptional than they are, constitute no case for such a thorough change as this Bill proposes. Mr. Kristo Das Pal, in an able address before the Legislative Council, quoted the words of Sir George Campbell (who I see is present here, and can correct me if the report I am reading from is wrong)—in which he (Sir George Campbell) admitted that in Bengal proper the practice of shifting ryots from spot to spot was unknown; therefore that provision, I say, is not necessary. It is stated that although 90 per cent.—or at any rate a very large percentage—of these ryots have obtained rights of occupancy they cannot enforce them. But cannot such defects in the machinery of Act 10 of 1859 be cured, without resolving to new and

strange principles? Why should you, because they cannot enforce their tenure upon a certain portion of the land, give them a right upon the rest of it? I have dealt with that clause rather fully, because there is not time now to go through all the clauses of the Bill—indeed I have not myself seen the Bill. But the portion I have dealt with is obviously unjust, and perhaps some other speakers will take up some others. (Hear, hear.)

MIRZA PEER BUKHSH: Mr. Chairman, ladies, and gentlemen, —I rise to return my hearty thanks to Miss Florence Nightingale for the very able and interesting paper which has been read, and which displays such a humane feeling towards the native ryots. It is another instance of her kindness of heart and feelings of sympathy for the suffering, wherever they be. Now, we have heard this afternoon a great deal said against the zemindars; but I think there is even more to be said against the Government. The zemindar has to make these exactions upon the ryots, in order that he may pay the Government. The Government has the land of India in its own hands, and they exact from the zemindar a charge of 50 or 60 per cent. upon the produce of the land. If the land produces £100, the Government takes £50. Now, the working expenses to the zemindar will be, say, 40 per cent., so that he gets hardly any profit at all. This is the difficulty which is at the bottom of this matter, and the real remedy is not to cut down the rights of the zemindars, but to place the relations of the Government to the zemindars upon a footing of justice. Some speakers and writers like to refer to what they describe as the tyranny of the old Mohamedan rulers of India; but it is to be remembered that the Mohamedan Governments only charged the zemindari with 10 per cent. of the produce of the land. Now, the British Government make the zemindars pay 50 per cent. in Bengal and Bombay, and I have been told by a gentleman here that in other provinces the charge amounts to 70 per cent., and in some places even to 90 per cent. Does it not stand to reason that such a charge upon agricultural land is a gross injustice to the zemindar? I am not personally able to speak of the condition of the people of India, because I have lived now thirty-five years in England; but I have my knowledge of the facts I have stated by letters I receive, and what is told is told me by my friends who come over from India from time to time. In conclusion, sir, as a native Indian, I thank Miss Florence Nightingale for the sympathy she displays towards the poor ryot, and whether or not the remedy she points out are the right ones, I trust the Government will take care that the great wrongs to which she draws attention are in some way set right.



Mr. TRELAWNEY SAUNDERS: Sir Bartle Frere, ladies, and gentlemen,—It appears to me that we need to be reminded that the issue before us is whether we, as an English audience, are prepared to support Miss Nightingale's proposition in favour of the passing of this Tenancy Bill or not. One would suppose from the remarks which have passed from various speakers that the statements of facts quoted from public documents by Miss Florence Nightingale were mere ornaments of a romance, and had no foundation in fact whatever. Nevertheless, we have not found any one of these facts controverted. However much they may appeal to our sympathies in every way, however much they may be a reproach to the zemindars on the one side, they ask for our pity for the ryot on the other. Every speaker from first to last who has spoken against Miss Nightingale's proposals has simply gone round those statements, and not met them with *contra* fact. Miss Nightingale has put her facts in plain English in this paper. She has proved to you that the rights which the zemindars were granted, under the Permanent Settlement, have been greatly exceeded, and so far exceeded as to amount to a great oppression on the part of the zemindars as against the ryots. Look at the list of illegal cesses that is brought to your notice in this paper. Are we to suppose that not one of those can be a fact—that all this story about impositions upon the marriage of everybody is absolutely false? It is unreasonable to ask us to believe anything of the sort, and I submit that we, as an English audience, unbiassed in favour of one side or the other, simply desirous of seeing that justice should be done, are bound to conclude that Miss Nightingale has proved her case; and I hope we shall show that that is our opinion by our unanimous support of the proposals she has made to us. I think it is not necessary to say anything more upon this occasion. No one can doubt the validity or the truth of the statement that Miss Nightingale has brought forward, and, if that be so, no one can doubt the course we ought to take.

Mr. ARTHUR MALET: Mr. Chairman, ladies, and gentlemen, —I have had no experience in the question of these zemindars and their ryots; but I have had some experience in guarantees and protected states; and it seems to me that so far as principles are concerned, there is considerable analogy between the two cases. Now, in our guarantees and our protected states, in which my experience lies, we act on this principle, that the guarantee or the protection is for all the just and recognized rights which the person guaranteed or the State protected, possessed at the time the guarantee was granted on the protection extended. If those rights are not defined at that time, difficulties and disputes must occur; and it is the duty of the

Government to inquire into and settle them, a process occasionally of considerable, but I should think never insuperable, difficulty. It seems that in this matter the respective rights of the zemidars and the ryot were undefined at the time of the permanent settlement, that this is the cause of the present embarrassment.

Sir BARTLE FRERE: Ladies and gentlemen,—Mr. Verney does not wish to attempt to analyze what has been said, or to reply to it; and therefore, as no other gentleman rises, I will simply make these one or two observations. I think it is rather disappointing that, although many speakers who have addressed you have said something for or against Miss Nightingale's facts, none of them have suggested any remedy or said anything about the remedies she suggests for the state of things existing. I must remind you that Miss Nightingale expressly tells you that she does not speak from her own observation or from mere hearsay; she gives you chapter and verse for it all; she gives you the official references from which all she says is taken; I think there is hardly a gentleman here present, who has been in India, who will not hear me out in saying that, whether Miss Nightingale is right or wrong, this is one of the great controversies of the day. There cannot be any sort of doubt that, even since any of us can remember this question with reference to the Permanent Settlement—the question—not whether the Permanent Settlement was wisely designed or well meant originally, but whether it required correction or whether it was perfect and required no correction. That question has been debated by all who have had anything to do with Indian administration from the time any of us can remember. And there can be no doubt also that the discussion has increased in area and increased in intensity and acerbity from the time of our earliest recollection till the present moment. It seems to me to be one of those great controversies which, as Miss Nightingale has well said, unless wisely corrected by statesmen and administrators, must correct themselves by a revolution of some sort. It may be a peaceful or it may be not a peaceful solution, but it is imperative upon all who have anything to do with India, and especially with the administration of Bengal, to address themselves to that question which has occupied the great statesmen and administrators of Bengal for so long, as to what is to be the course of the Government and the Legislature regarding the Permanent Settlement. I feel very sure that the facts which have been stated to you by such high authority, and so well stated by Miss Nightingale in her paper, will not be thrown away, but that the gentlemen who have striven in the bare ten minutes allotted

to them to contribute to this discussion will, when they read the paper *in extenso*, come to the same conclusions at which Miss Nightingale arrives. The most important of her principles perhaps is that careful inquiry should precede any measures which are to be taken, that you should not fall into the same mistake which has been made elsewhere, and legislate for an enormous province like Bengal from only a part of the facts, and with regard to only some of the interests we find there, but that we should legislate for the whole of the millions who inhabit that province. Reference has been made—and very wisely made—to what has been done lately in Ireland, and let me remind you that whatever can be said there as to the results, or the lack of results, from the great measures which Parliament in its wisdom has introduced, there is this fact to be remembered. Nobody says—nobody can—that it was wisely applied to the whole of the area in which so many different tenures and so many different conditions were existing. I trust that what Miss Nightingale has put before you will have this effect—that it will make those who have for the moment the means of carrying out their particular view of this question, pause before they do what may involve them in a course which, right in one part of the province, may be wholly wrong in another, and that they will imitate what has been done so wisely and so justly by men in many parts of India, and to which the present well-doing of those parts is due—that they will carefully ascertain the facts before they presume to reason upon them, and that they will base any legislative measures they may carry out upon the foundation of well ascertained facts. That seems to me to be one of the great lessons which Miss Nightingale wishes to inculcate, and it is one which I have no doubt will commend itself to your approval.

RAJAH RAMPAL SINGH, who was unable to be present, wrote as follows: "I have carefully gone through the paper in which Miss Nightingale advocates the cause of tenant-rights in India. On the whole I do not disagree with her in principle, but I do not concur with the accusation she brings against the landlords of exercising their rights in an oppressive manner on the tenants. My reason for agreeing with Miss Nightingale's proposal for creating a tenancy right in India is this,—that it creates a feeling of mutual interest between landlord and tenant. They both feel the advantage of co-operation. It is to the interest of the former to encourage tenants who remain on their holdings and pay a constant rent; and it is to the advantage of the latter to continue to cultivate and derive a benefit from lands which their labour has improved. According to this arrangement the

landlord is never deprived wholly of his income, as now frequently happens in cases of famine. The tenant is always sure of his home and can bring up his family in security on the same land on which his ancestors were born. He will not be compelled to wander from estate to estate, but will do all in his power to make profitable that on which he is. So much in support of Miss Nightingale's argument. I will now proceed to point out some fallacies into which Miss Nightingale has fallen. She says that the landlord oppresses, tortures, and drains the resources of his tenantry by every imaginable form of exaction. She says that a tenant from the moment of his birth to that of his death cannot even eat, perform a religious ceremony, or any of the duties of life, without paying a tax to his landlord. In the first place I deny that these are exactions by the landlord. It is true that the custom of making presents to superiors has existed not only in India, but, as every ordinary traveller knows, throughout the East. This might rather be denominated an exchange of courtesy. Why, European officials in India have received like presents. The custom has never yet been objected to by the tenants, though it is by no means compulsory on his part. Its origin dates from ages long past and yet the tenants exist—they are not ruined by it; they prosper and multiply. It is but another phase of the Fendal System; and students of the customs of the Middle Ages in Europe have no difficulty in recognizing its features. The relations between the King and his Nobles; the latter and their vassals and dependents; and so through all the grades of society—existed in India, and to a certain extent exist now as social laws, though native government has ceased. Why blame landlords for a system which they did not form? Why bring unjust accusations against them? It would, I think, have been more graceful on the part of Miss Nightingale—whose high claims to consideration I would be the last to deny—if she had inquired more regarding her subject, and had studied more profoundly the relations existing between landlord and tenant in India. I fully concur with Miss Nightingale in her remark on usurers; but usurers in India are no worse than they are here; and I do not see why the extortions which they practise should be particularly noted in relation to India. Let the law exercise its functions regarding them; and I, for one, should be very glad to see an Act passed prohibiting in any part of Her Majesty's dominions a higher rate of interest than six per cent. There is another part which I will bring to Miss Nightingale's notice, and which perhaps may lead her to modify her conclusions. Perhaps Miss Nightingale is not aware that 50 per cent. is taken from the landed proprietor by Government.

What would landlords here say to this? But in many provinces two-thirds of his income is exacted from the landlord. In Assam the landed proprietors pay nearly the whole of their income to the Government. Again, as most of this exacted tribute finds its way to England, India does not even derive the benefit which accrues to other countries from the circulation of money contributed to the revenue. I do not know whether I am to consider myself fortunate in my residence here, being doubly taxed, first heavily taxed in India, and again having what is remitted to me here to undergo the crucial examination of Somerset House."

Mr. WILLIAM TAYLER (late Commissioner of Patna): Mr. Chairman, ladies, and gentlemen—From ill health and absence on the Continent, I have been prevented for many years from attending this Association, although I have the honour to be a member of the Council; and I therefore should consider it almost a presumption on my part to venture to make any lengthened remarks or offer any practical suggestions on this extremely interesting paper that has been laid before us. But the duty now allotted to me—namely, to move a vote of thanks to Miss Florence Nightingale—is so gratifying and so pleasant that I cannot resist the temptation of saying a few words in connection with it. Miss Nightingale's paper, as far as I am justified in giving an opinion, is in itself a model, and on this account, that it has created a most animated and delightful controversy on all sides, in this meeting, and that I consider to be one of the great objects to achieve in the consideration of any general question like this. We have had the Indian zemindar painted as a sort of Oriental angel by some of the speakers, and as a decided diabolical demon by others. We have had the ryots described as suffering undeserved oppression and injustice on the one hand, and as being exceedingly pleasant and comfortable sort of fellows on the other. Which of these pictures is true I do not venture even to insinuate, but I do think we owe a great debt of gratitude to Miss Florence Nightingale for having introduced the subject, which is, in spite of all the opposition and all the difference of opinion which has been exhibited, the one great subject which more than any others—more than all others put together—affects the permanent happiness, comfort, and prosperity of India. There is no doubt that when we consider the number of millions of men whose whole happiness and comfort depend upon certain proceedings and regulations of our Government, nothing can exceed the extreme importance of the subject, and this becomes the more obvious because of the extreme differences of opinion which, as

I say, we have discovered here. I will not venture further to trespass on your patience, but will at once propose that the hearty and unanimous thanks of this meeting be given to Miss Florence Nightingale, the illustrious lady who has prepared this important paper for our discussion.

Mr. W. MARTIN WOOD.—Mr. Chairman, ladies, and gentlemen,—In discharge of the very pleasant duty of seconding this vote of thanks I will not trespass upon your time for more than two or three minutes. By way of illustrating how this question presses for settlement—the present phase of which is represented by the Rent and Tenancy Bill now before the Government of India—I might recall many circumstances which have been alluded to to-day, the course of which you, Sir, can yourself well remember. For long years this problem has been growing up and pressing for settlement. As one indication of the lapse of time in this respect, perhaps you will permit me to make one personal allusion. I can well remember, now eleven years since, when in thinking of some subject suitable for a leading article on New Year's Day, 1872—that day generally so inclement and gloomy in England, but always so bright in India—this question of the Ryot of Bengal appeared to me to be the most urgent one. Accordingly my article is headed “The Greatest of all Indian Questions.” In one of its opening passages I wrote:—“Let us draw attention afresh to the greatest of all internal Indian questions, and one which seems likely to come fairly to the front during this year 1872. We refer to the social bondage and helpless physical degradation which the zemindary system inflicts on some forty millions of people in Bengal, Behar, Orissa, and the northern districts of Madras.” Here I would remark, in passing, allusion has been made by Mr. Roper Lethbridge and others to the contrast between recent heavy mortality amongst the ryots in Bombay and Madras as compared with the absence of downright starvation in Bengal. But when fairly looked into, this contrast really serves to show the more adverse position of the ryots in Bengal; because it must be remembered that is the most fertile province in India, and abounds in water privileges. But in spite of these favourable conditions the cultivators in Bengal are in that abject condition described in the paper to-day (hear, hear), whereas in Madras and Bombay water is scarce and the land arid; but it was only during the time of dire famine in 1877-8 that the heavy mortality spoken of has taken place. The true lesson of the contrast between the condition of the Bengal ryots and those elsewhere, was indicated

in this passage from the article I have already quoted from:—

“If then the people [in Bengal] have been enabled to drag on from one generation to another, merely because with lavish kindness the gifts of God are strewn around, are Indian statesmen to be indifferent to the curse which is inseparable from the artificial, and utterly non-Indian organization of the Bengal zemindari system?” I think, sir, that these remarks, which are only chance examples of thousands of others made in years long gone by, serve to support our vote of thanks to Miss Nightingale, who, in the midst of other pressing home questions that claim her attention, has, in this very effectual manner, brought this deeply important subject forward into the full blaze of English public opinions. (Hear, hear.) And here it may be well to mention, that in the same article of 1872, there is this sentence—“It must always be remembered that to the Rev. James Long will pertain the credit of having first brought the subject ‘condition of the Bengal ryot fairly under the notice of public opinion.’” Mr. Long is on the platform here to-day, and I am sure you will not object to his name being thus brought in this connection with our vote of thanks to the excellent lady who has given us this paper. (Hear, hear.)

The Resolution was put to the meeting by the Chairman and carried with acclamation.

Mr. VERNEY: Ladies and gentlemen,—Sir Bartle Frere has been kind enough to allow me to say that I will be the bearer of this vote of thanks to Miss Nightingale. I could not say a word in reply to the remarks on her paper, for I only came here unworthily as her voice, unfortunately she herself not being able to be here; but, perhaps you will allow me just to say one word. Those who know Miss Nightingale best, know that her love of truth and justice is not inferior to her love for humanity. Those who have had experience of that sick-room know that it is one of the most touching sick-rooms that ever man or woman entered. There you see not one single sign of the sick-room as usually found, except the form lying on the sofa. There you see from nearly every part of the world signs of the living interests that constitute the life's work, work that has been and is being continued in a way that few Englishmen know or even dream of. Those who have read of her feats of strength and her feats of love for her country in days gone by, hardly know perhaps that that love is not one bit extinguished, that that life is just as active, just as full of energy and of love, as ever it was twenty-five or thirty years ago in the Crimean War, and that the work she is now continuing is a work which few

minds are so fitted as hers to carry out, and which bears the impress of an enthusiasm which is not from this world.

Sir WILLIAM WEDDERBURN, Bart., said: I have been entrusted with a Motion, but before bringing it forward I would beg leave to say a word with reference to the discussion which has just been concluded. Some of the speakers appear to consider that Miss Nightingale has been rather hard upon the Bengal zemindars, and has painted them in too dark colours. But I think that these gentlemen must have overlooked some of the passages in which the zemindars are spoken of in very favourable terms. For example, I note they are described as "very amiable persons, of great intelligence and great benevolence." And, I would ask, what higher praise could we bestow on any class of landlords in any part of the world? Again, with reference to the immense powers which the competition for land has placed in their hands, our author speaks of them as a class, and says that "a large proportion have not pressed their claims to extremity." This, surely, is no small commendation. (Hear, hear.) As I understand the paper, it is not the individuals that are condemned, or even the class, but the system, under which the zemindars possess a power, practically uncontrolled, over 40 millions of our fellow subjects,—a power which cannot safely be entrusted to any class of imperfect human creatures. (Hear, hear.) One more point. I hear the measures advocated in this paper described as though it were proposed to confiscate rights and upset the Permanent Settlement. But surely this is a mistake. For, as I understand the proposals, it is only desired to carry out the original terms of the Permanent Settlement, and to fulfil effectually the pledges therein contained, in a way consistent with the custom of the country and calculated to benefit all parties concerned. My own impression is that this paper is as remarkable for its impartiality as for its benevolence. (Hear, hear.) And it is certainly a monument of laborious research on the part of its noble-minded [and single-minded] author. (Hear, hear.) I will not further detain the meeting at this late hour, but will only perform the pleasing duty entrusted to me, and move a cordial vote of thanks to the Chairman. I have little doubt that, in part at least, we owe to Sir Bartle Frere's persuasion the privilege we have enjoyed of hearing the instructive paper which has been read this afternoon. (Hear, hear.)

General Sir ARTHUR COTTON, K.C.S.I., cordially seconded the motion.



Dr. VINCENT AMBLER, Surgeon-Major: Sir Bartlo Frere, ladies and gentlemen,—Before this meeting separates I should like, as one who was in the Crimea, and had the pleasure of seeing a great deal of Miss Nightingale both there and at Scentari, to personally speak of the merits and the extreme kindness and goodness of Miss Florence Nightingale. I was sick in hospital at Balaclava, and she nursed me all through a long illness of Crimean fever. She was with me, I might almost say night and day, and I can assure you that I consider that it is to her good nursing and energetic attention I owe my recovery. Previous to my illness I had had experience of her friendship, when at Scentari, where the hospitals were crammed with dead and dying, the funerals at the various local depôts amounting to two or three hundred daily from the autumn of 1854 to the first months of 1855, at which time no person could depend upon their escape for certainty, as cholera was carrying off its victims after two or three hours warning; it was amid such scenes as this that I constantly beheld Miss Nightingale. I may add that I was also acquainted with her father and mother, I had occasion to appreciate their kindness. I can only say that the few remarks I have ventured to make have been called forth by feelings of the greatest goodwill and affection which a man can bear for services rendered him on a bed of sickness and almost of death.

The vote of thanks to the Chairman was carried unanimously.



## JOURNAL

OF THE

## EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

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### MR. EDWARD BACKHOUSE EASTWICK,

C.B., M.A., F.R.S., M.E.A.S.

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IN Mr. Edward Backhouse Eastwick, who died at Ventnor on the 16th July last, the East India Association has lost one of its oldest members, and a most valued friend and supporter. Within a few months of the establishment of this Institution in the year 1866, Mr. Eastwick became a Life Member, and almost immediately afterwards he was nominated the Chairman of the Council, a position he occupied with ability and energy, until only last March when the Council were with sincere regret obliged, owing to his failing health, to accept his resignation. The office of Vice-President was thereupon offered to him unanimously by the Council as a mark of their appreciation of his services to the Association, and this Mr. Eastwick has unfortunately lived but a short time to occupy. Mr. Eastwick took great interest in this Association from its inception, and his support was of the greatest value, not only owing to his intimate acquaintance with the peoples of India, but with its variety of languages. Upon two recent occasions Mr. Eastwick visited India in

the interests of the Association, and was instrumental in making its work widely known and appreciated throughout that country.

Mr. Eastwick was born in 1814, educated at Charter House and Merton College, Oxford. In 1836 he went to Bombay as a cadet of Infantry and became a Member of the Asiatic Societies of Paris and Bombay. He early devoted himself to the study of Oriental languages, and in a few years passed examinations in Hindustani, Marathi, Persian, Gujerati, and Canarese, obtaining the rewards for high proficiency. He served a short time in the political department in Kattywar and in Upper Scinde; in 1843 he translated the Persian "*Kisso i Sanjan*, or History of the Arrival of the Parsees in India," also "*Zortusht Namad*, or life of Zoroaster," and he published a Sindhi Vocabulary and various papers in the "*Transactions of the Bombay Asiatic Society*." His health failing he took up his residence at Frankfort, where he acquired a thorough knowledge of the German language and translated Schiller's "*Revolt of the Netherlands*," and Bopp's "*Comparative Grammar*." In 1845 Mr. Eastwick was appointed Professor of Oriental Languages and Librarian in the India College, Haileybury. Two years later he published a Hindustani Grammar, and subsequently a new edition of the "*Gulistan*," with a translation in prose and verse; also translations of the *Prem Sagār* of the *Bagh o Bahar*, and the *Anwar i Soheili*. In 1851 he was elected a Fellow of the Royal Society; in 1857-8 he edited the interesting and instructive "*Autobiography of Lutfullah*," which affords a remarkable picture of the inner life of a Mussulman and of the manners, customs and modes of thought of the natives of India, and wrote various articles in the 8th edition of the "*Encyclopædia Britannica*," on Oudh, Persia and the Punjab, &c.; he also edited for the Bible Society the Book of Genesis in the Dakhami language. In 1859 he was appointed to the Political Department in the India Office; in 1860 he was called to the bar of the Middle Temple, and also made Secretary of Legation at the Court of Persia. He returned to England in 1863, in the same year publishing "*The Journal of a Diplomat*." In 1864 he went to Venezuela as Commissioner for settling the Debt of that Government. In 1866 Lord Salisbury, then Secretary of State for India, nominated him his private

secretary, and he obtained the Civil Companionship of the Bath. In 1867 he went again on a mission to Venezuela, and on his return, at the request of Charles Dickens, wrote in "All the Year Round," some "Sketches of Life in a South American Republic." These papers were afterwards republished in a separate volume. In 1868 he was elected Member for Penrhyn and Falmouth, on the Conservative side, and sat in the House of Commons until 1874. In 1875 he received the degree of M.A. with the franchise from the University of Oxford, "as a slight recognition of distinguished services." At various periods he wrote for Mr. Murray, handbooks for Madras, Bombay, Bengal, and the Punjab, which volumes bear ample testimony to the author's remarkably extensive and accurate knowledge of Indian history, antiquities, and topography. In 1878 he published the first volume of the "Kaisarnamah i-Hind" ("The Lay of the Empress"), dedicated by permission to the Queen. A letter from General Ponsonby states, "The Queen was very much pleased with this most valuable and important work. The Queen has commanded me to convey her best thanks for this volume, and to assure you that she appreciates your efforts in completing this magnificent work." At the close of last year he brought out the second volume of the "Kaisarnamah i-Hind." He married in 1847, Rosina, daughter of James Hunter, of Hafton, Argyllshire, and leaves one son and six daughters.

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## MR. JOHN BRUCE NORTON, M.A.

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The Council have also to lament the death of a distinguished Honorary Member of this Association and a contemporary at Merton College of Mr. Eastwick's, Mr. John Bruce Norton, late Advocate-

General and a Member of the Legislative Council at Madras, and a Senator of the Madras University. It is not for this Council to insist upon his reputation as a lawyer, nor on the graceful fancies of the author of "Nemesis," and the "Memories of Merton"—but the benefits of such a work as his "Law of Evidence" are not confined to lawyers, and his "Educational Speeches" delivered annually during the long time that he was Patron of Patcheappah's Institution, his works on the Administration of Justice in India, the Rebellion in India, Madras and its requirements, Topics for Indian Statesmen, and other subjects of a like nature; his services on the Torture Commission; and his long and important connection with the Indian press, entitle him to rank high among those who have sought to promote "the public interests and welfare of the inhabitants of India," and it is written of him by Sir Lawrence Peel, the former President of this Association—"I am confident that in higher offices than those which he actually filled he would have been second to no judge or lawyer of his time in India."

# THE INDIAN CRIMINAL JURISDICTION BILL.

PAPER BY ROBERT H. ELLIOT, ESQ.,

READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON WEDNESDAY, JUNE 13, 1883.

COLONEL THE RIGHT HON. LORD ELLENBOROUGH

IN THE CHAIR.

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A LARGE and influential meeting of the members and friends of the East India Association was held on Wednesday afternoon, June 13th, 1883, in St. James's Hall Banquet Room, London, the subject for consideration being, "Is the attempt to pass the Criminal Jurisdiction Bill calculated to promote the Public Interests and the Welfare of the Inhabitants of India generally?" introduced in a paper by Robert H. Elliot, Esq., of Clifton Park, Kelso, sometime planter in Mysore and a well-known writer on Indian topics.

Colonel The Right Hon. LORD ELLENBOROUGH occupied the chair, and amongst those present were the following:—The Earl of Minto; Lord Reay; Lord Stanley of Alderley; General Lord Mark Kerr, K.C.B.; Sir Henry Ingilby, Bart.; Sir Wyndham Knatchbull, Bart.; General Sir Orfeur Cavenagh, K.C.S.I.; Sir George Yule, K.C.S.I.; General H. W. Blake; General Brewster; General Roche; Lieut.-General Anderson; Lieut.-General H. St. Clair Wilkins, R.E.; Major-General G. Bunn; Major-General Short; Major-General Mann; Colonel T. W. Hicks, C.B.; Colonel R. M. Macdonald; Colonel G.

B. Malleson, c.s.i.; Colonel Porter; Lieut.-Colonel H. L. Evans; Lieut.-Colonel Keith Jopp; Mr. J. R. Bullen-Smith, c.s.i.; Mr. R. H. W. Dunlop, c.b.; Mr. Roper Lethbridge, c.s.i.; The Rajah Rampal Singb; Rev. James Johnston; Rev. J. Long; Rev. G. Small, m.a.; Dr. G. B. Clark; Dr. D. H. Cullimore; Dr. R. S. Mair; Dr. Montague D. Makuna; Dr. G. Paton; Dr. J. L. W. Thudichum; Mrs. Akroyd; Miss H. Akroyd; Mr. and Mrs. Anderson; Mr. A. Arathoon; Mr. C. W. Arathoon; Mr. U. Banerji; Mr. R. Beaumont Beadon; Mr. W. Lynden Bell; Mr. Lawrence Biale; Mr. S. R. Bias; Mr. J. R. Boyd; Mr. J. H. A. Branson, Mr. W. Branson; Mirza Peer Bukhsh; Mr. A. Chattopadhyaya; Mr. Coner; Mr. and Mrs. A. K. Connell; Mr. W. Cook; Mr. Krishnal Datta; Mr. R. Dawson; Mr. Leslie De Grnyther; Mr. K. B. Dutt; Mr. Thomas Elliot; Mr. Thomas Finlayson (late of Madras); Mr. N. B. Gandevia; Mr. G. S. Goad (Assam); Mr. J. P. Goodridge; Mr. W. J. Grazebrooke; Mr. and Mrs. Gregory; Mr. Hamid Ali Kahn; Mr. Hariden; Mr. Robert Harrison; Mr. Cunningham Hudson; Mr. Loxton Hunter; Mr. James Hutton; Mr. George Jarvis; Mr. C. H. Kerhy; Mr. S. Rait Kerr; Mr. Edmund Kimber; Mr. Knight; Mr. Charles A. Lawson; Miss Frances Lord; Mr. J. M. Maclean; Mr. M. Abdool Majid; Mr. D. W. Marsden; Mr. J. A. N. Martin; Mr. N. J. Moalla; Mr. J. E. Modi; Mr. E. M. Money; Mr. Marcus W. Mott; Mr. O. C. Mullick; Mr. James Mylne; Mr. Robert G. Orr (Madras); Mr. L. Palit; Mr. Pigott; Mr. Krishnal Rae; Mr. E. T. Roberts; Mr. A. Rogers; Mr. J. H. Rostan; Miss Selina Rowley; Mr. S. K. Sanjana; Mr. Sen; Mr. A. K. Settna; Mr. John Shaw (Madras); Mr. and Mrs. A. P. Sinnett; Mr. D. Sinhote; Mr. A. T. Smith; Mr. John Stevenson; Mr. H. H. Sutherland; Mr. William Tayler; Mr. C. B. Templer; Mr. Tyabjee; Mr. G. Walpole; Mr. G. Williamson; Mr. W. Martin Wood; Mr. W. Hamilton Burn (Secretary), &c.

The Noble CHAIRMAN having formally opened the meeting, called upon Mr. Robert H. Elliot to read his paper.

Mr. ROBERT H. ELLIOT then read the following paper:—

Before beginning my paper this afternoon, I trust that the audience will permit me to state that I approach this subject without a particle of desire to limit in any way the progress of India, in the direction of the greatest amount of liberty of action, or as regards any kind of concession that can be wisely accorded to the inhabitants of that vast continent. I am deeply interested in India and its welfare, and for many years past have persistently advocated what many people would

call very advanced, or at least very liberal measures; such as the more extended employment of natives in the public service, the granting of commissions in the native army to the sons of good families, the increase of the native element in her legislative councils, the adoption of steps which might eventually be developed in the direction of some approach to representative institutions, the granting of permanent landed tenures, the adoption of measures for the development of manufacturing and mining enterprises and the improvement of agriculture, and, in short, every kind of measure that could promote the progress of the people both politically and materially. And I wish particularly to allude to this because the views that I, and many Anglo-Indian liberals have adopted as regards this Bill, might lead some people to suppose that a change had therefore taken place in our general principles. I therefore wish to say on my own behalf, and on behalf of those who think as I do, that the line we are now taking only apparently clashes with the liberal views we hold, and which of course we think ought universally to prevail, as regards our treatment of India. In other words a man may, I conceive, hold most liberal and warmly sympathizing views as regards the native inhabitants, and yet resolve firmly that this Bill should be cast aside, till it can be introduced and passed without the smallest risk of producing ill blood between any sections of the dwellers on Indian soil. And I think it very important to point out this at the beginning of my paper, because I feel quite sure that many people, both natives and Europeans, instead of having carefully thought out the whole subject of this Bill from considerations of what is best for the inhabitants of India generally, have regarded and hastily adopted the measure simply as an item of liberal progress, and therefore to be fought for as a matter of course, and as if it were of similar importance, and as completely free from the risk of injuring the material interests of India, as other proposed steps in the liberal programme. Then, having once adopted the Bill, many were unwilling to listen to arguments against it, partly from a fear of being taunted with having changed their minds, partly from the erroneous idea that to oppose it would necessarily be held to be equivalent to a desire to oppose liberal measures in general. Now I sincerely trust that those who have been influenced by such considerations will have the courage to cast them firmly aside, and join with me in examining the question of the acceptance or rejection of this Bill, simply and purely as regards its effects in promoting or injuring the interests and welfare of the inhabitants of India generally. One word more before I begin. Those who have hitherto supported this Bill, and those who have not



made up their minds regarding it should, I venture to submit, bear clearly in mind the nature and limitations of sound liberal views as regards Indian politics. What then are sound liberal views as regards India? I think we can have little difficulty in deciding that they are views which embrace exactly that amount of change which is suitable to the times, to the peculiar political state, and to the general circumstances of India, and which will not incur the smallest risk of creating serious quarrels, and so retarding the material and general progress of the country. The moment you depart from that limitation—the moment you advocate any measure which entails serious discord amongst the inhabitants of the country—at that moment you will be abandoning sound liberal principles, and embarking on the sea of rash experiments. And, if you do so, remember that you will thus retard liberal progress, and really turn yourselves into the worst enemies of the cause you wish to serve, because, when those who are opposed to liberal measures in general are, for instance, able to point to the bitter fruits of this Criminal Jurisdiction Bill, they are able to wield a powerful weapon against all liberal measures that may be proposed in the future. The greater caution too is needed now, because we are really at a turning point in our government of India, and of the greatest importance—a point where we are apparently in great danger of assuming that sound civilization is to be achieved mainly from political education and progress—when we are, (as I hope to show further on) in our haste to gratify the very natural ambition of the educated classes, in greater danger of losing sight of the material and general interests of those silent masses on whom the stability of the Empire really rests. Let us then reason this matter out quietly and coolly—endeavour to obtain a full view of that *ratio decidendi*, or governing principle, which alone can guide us to a sound conclusion, and place our minds in that attitude of mental suspense which will best enable us readily to absorb every ray of light which can aid us in seeing our way clearly through this burning question. And now for the business of the afternoon.

Let me then (1) briefly state the leading features and history of the Bill, observe on (2) its effects, and (3) inquire whether the Bill is calculated to promote the public interests and welfare of the inhabitants of India generally.

The features of this Bill have been so fully before the public that it is needless to detain you long on this point, and it may be briefly described as a measure to extend generally to native civilians, power, under certain limitations, to try, and sentence, Europeans who have committed criminal offences. Nor need I detain you long as to the

history of the Bill. The sum of the matter is briefly this. Whoever was the author of the Bill, it is certain that Lord Ripon is entirely responsible for its being brought forward at the present time. Without ever having felt the pulse of India on the subject (I need hardly say that I do not consider that obtaining the opinions of Government officials feeling the pulse of India), he sought the consent of the then Secretary of State for India, who probably never knew that India had a pulse to feel. Lord Hartington gave a decided assent to the immediate introduction of the measure. Having thus innocently put together this pretty piece of detonating matter, it was then tossed into the Community, the result being a disastrous and widespread explosion, which the dynamite party in America must have contemplated with envy and despair. Now I trust you will excuse my digressing here for one moment to remark on what at first sight appears to be a very remarkable phenomenon. Here are two prominent politicians, of high standing, and animated by the best and purest intentions, who have done, as it were in the twinkling of an eye, more mischief in India than the most malicious and powerful agitators could have hoped to have achieved after years of earnest labour. But examine the phenomenon for one passing moment and it vanishes. They went wrong because the construction of the Government of India is so faulty that the Viceroy and Secretary of State have no means of knowing what will occur on the proposal or passing of a measure—in other words, the interests and wants of India are neither adequately represented in Calcutta nor in England—a fact, the danger of which has often been pointed out, and the truth of which has been conspicuously proved in the present instance. It would be interesting to pursue this matter further on some future occasion, and I only allude to it here to show that if the Viceroy and Secretary of State have grievously erred in attempting to pass a measure now which can only be suitable for some remote time ahead, there is far more excuse to be made for them than is generally supposed.

Let me now turn to my second point—the effect of the Bill. It produced, as we all know, a violent explosion of feeling, and it is sufficient to say that, whereas Lord Ripon, when he took office, found India at peace internally, and with old race jealousies fast dying down, he has now produced an amount of ill blood that few could have believed to be possible of creation, and which indeed it would have been almost impossible to create without the aid of this unfortunate Bill. Whatever else people may be disagreed on as regards it, this at least is certain, that all are agreed in saying that never since the mutinies, and never before them, has such a bitter

feeling been aroused. And this is no temporary ebullition, such as was aroused by other Acts which displeased the Europeans in former times, but a deep-seated feeling of alarm and resentment, which has been shared in even by Jews and Armenians, and which has been evinced in almost every possible kind of way. It is both unnecessary and unadvisable to go into any explanation of this feeling. It is unnecessary, because what we as practical men have to deal with is, not what caused the feeling, but with the results of the feeling on the welfare of India. It is unadvisable, because the feeling, though strictly speaking directly owing to the Bill, is composed of many complex factors, the very statement of which would occupy much time, and would besides lead to the discussion of profitless points. It is sufficient for us to know that previous to the Bill there was internal peace, and that after the production of the Bill serious discord arose, which has already bred other discords such as have shown themselves in what took place subsequent to Judge Norris's decision in the Contempt of Court Case. So much for the first two points of my paper. Let me now turn your attention to the third point, which you will remember is to consider how far the attempt to pass this Bill at the present time is calculated to promote the public interests and welfare of the inhabitants of India generally.

And here, at the outset of our considerations on this point, I trust you will allow me to say a few words on the title of this lecture, because I wish particularly to remind the members of this Association, and generally inform those who are not, as to its principal object. My title then is taken from our first article, which runs thus—"The object of the East India Association is to promote the independent and disinterested advancement, by all legitimate means, of the public interests and welfare of the inhabitants of India generally." The object of our Association then, you perceive, is not to advocate the grievances of any particular section or class, but to promote the public interests generally. I propose then to avoid all considerations of race preferences, personal interests, questions of sentiment, or of justice or injustice to the feelings of any members of the community, and confine my inquiry to the broad issue as to whether the present forcing on of this Bill is calculated to promote the public interests and welfare of the inhabitants of India.

And first of all, as to the public interests. What are the most truly overwhelming of all the public interests of India, to which all other interests must be distinctly subordinated? I do not know that I can do better than tell you a story which illustrates exactly what is at once the greatest public interest as well as the greatest public debts

in India. About nine years ago I asked a young Hindu, whom I met in the rooms of our Association, to be kind enough to calculate for me what the population of India would come to forty years hence, if we estimated the numbers at 240 millions, and the increase at 1 per cent. per annum. The result came to 357 millions. Now, what do you think of that, I asked. "Think," he replied, in dismay, "well, I think it would be well for all the people of India to commit suicide "at the same moment." Let anyone pursue that calculation forty years onwards, by which time the population will amount to 530 millions, and he will be appalled at the great problem which everyone who has studied India must contemplate with feelings of gloom approaching to despair! And how is this great problem to be solved? Surely not with the aid of the eloquent Baboo barristers who are walking about Calcutta with briefless pockets, surely not with that grand political progress we hear so much about, surely not with the spread of education. Gentlemen, I need trouble you with no more negative statements. This vast problem can only be solved by the aid of British capital, energy, and skill, which, by developing to the utmost the agricultural, mining, and manufacturing capabilities of India, will gradually enrich the country, and so find at once employment for the people, and improved taxational resources for the State. Here, then, we see that the interests of the masses and the interests of the Government are identical, and so too are the interests of all those Englishmen who have lent and invested such vast sums in India. The same may also be said of the English taxpayer. For, if the finances of India ever fail, it is on him that some portion of the burden will surely, both directly and indirectly, fall. Now, if the statements I have made are correct, nothing can be clearer than that what will influence India for the greatest good, is the influx of capital. What then most influences and attracts capital? And here I feel that I need to apologize to my audience for presuming to ask such a question. It is very like asking you what those motives are which induce a man to go in search of food when he is hungry. But I have seen it stated in so many quarters, that the fact of internal discord, like that caused by this Bill, is not a thing that would affect the flow of capital to India, that I feel bound to repeat this most antique truism, namely, that the capitalist is a very timid person, and that if the smallest shock occurs to his nervous system, he either shrinks away altogether, or requires to be very heavily paid for it. Let me give you an illustration close to our own doors. A gentleman with whom I am intimately acquainted has, on his estate in Scotland, debts for which he is paying  $3\frac{1}{2}$  per

ent. The same gentleman has, on an estate in Ireland, charges for which he receives  $4\frac{1}{2}$  per cent. The charge on the Irish property is a first charge, with abundant margin, on a property in the richest part of Ireland; the land is let on leases at low rents, and the  $4\frac{1}{2}$  per cent. rate was arranged before the recent disturbances had arisen. The difference of the rate of interest is the measure of the nerves of the capitalist, investing close to his own doors, and with all England to back him against a mere handful of agitators. Now, move the scene 6000 miles away to India, and prove to the capitalist, who previously to Lord Ripon's Bill was being gradually lulled into a sense of security, that there are still elements of race hatred ready to be kindled into a blaze, and what is certain to be the result? Either that capital will keep away from India, or that India will have to pay much more highly for it. It is no wonder then that we find one of the Bengal native papers saying that the agitation caused by this Bill has "vitally injured the interests of the people." That statement, too, comes from a paper supporting the measure.

And here it may be interesting to pause for one moment to remark on another phenomenon connected with this unfortunate Bill. It has been generally supported by the native press. And yet how does it happen that one of the more extreme of the Bengal papers—the *Amritka Bazar Patrika*—admits that the Bill has produced effects which have "vitally injured the interests of the people"—admits that, and yet urges the Government to persevere with the Bill. Just imagine, if you can, *The Times* admitting that a Bill here was producing effects calculated to injure the vital interests of the people of England, and then urging the Government to persevere with it by all means. And the native press generally cannot fail to perceive the injury which one of its members so plainly points out. Surely a more bitter satire on itself was never published by any press in any country. Gentlemen, I need hardly say that I do not take the native press at its word. I do not believe it to be so taken up with the advancement of a narrow clique of educated natives, that it has no feeling for "the vital interests of the people," and if I allude to this matter here, it is to show how completely reason, common sense, and the best interests of the people have been thrown overboard during the heat of this miserable conflict—a conflict which, it is only fair to remember, was not created by the press, nor by any section of the natives, but by the unfortunate action of Lord Ripon.

And it must be considered further that the effect of this Bill on the public interests is the more injurious, not only from the increasing population, but from the financial state of India—a financial condition

which all men admit, is not, and never can be secure, as long as we depend so largely on opium, and are compelled to treat it as if it were a dependable source of revenue, paid into the exchequer by the people of India, instead of being able to treat it as a source of revenue which may fail, and one half of which, at least, ought to be set aside for the extinction of debt. This is not the place to pursue this point further, but if it were, I could easily show you that the continuance of internal peace, and indeed the absence of all signs of discord, is of hardly less importance to the finances of this State than it is to the food of the population.

But there is yet another point that deserves more than the passing notice I can alone accord to it. The whole dispute regarding this Bill is fast drifting, if indeed it has not already drifted, into an English party question. If this question is to be settled on party grounds, then the result will be truly deplorable, for the knowledge that questions affecting Indian property and capital may come to be decided, not on their merits, but by the strength of parties at the time—parties, too, composed mainly of men who know nothing of India—will surely act as another and very strong deterrent to the capitalist, because it will furnish an addition to that element of uncertainty which the capitalist detests.

But it is time now to turn from the consideration of the public interests and say a few words on the effect of the Bill on the welfare of the inhabitants of India generally. Are they better? are they happier? has life out there been made more easy, or in any way more agreeable because of this Bill? What is it that we actually perceive? Irritating disputes between natives and Europeans, alarms, doubts as to what may come next. Are these things calculated to promote the welfare of India? It would be assuredly as much an insult to the humblest form of human reason, to pursue this matter further, as it would be to suppose that the agitation caused by this Bill could be otherwise than injurious to the public interests of India.

Gentlemen, my lecture is ended now so far as the question I have asked is concerned, and if it is a fact that discord and fierce internal dissensions in India, or any other country, must repel capital, then the course that should be adopted by the Government and the educated natives of India, admits of little doubt. In such a difficult and complex field of politics as we have in India, no one need feel ashamed of having miscalculated the time for passing a measure, any more than a man without a watch, and on a murky day, need be ashamed of being found in error as to the hour. In fact, there is hardly a situation in life where more excuse could be found for error than in the immensely

difficult task of administering India, and the simple withdrawal of the measure, with the statement of the fact that the time was not suitable for its introduction, so far from humiliating the Government, would at once raise it to a high pitch in public estimation, and restore to capital that confidence which has now been so rudely shaken. The course too to be adopted by the educated native seems equally plain. I can quite imagine how readily his judgment has been swept away in the heat of conflict, and how, in other words, he has come to put passion in the place of reason. But, with him, reason must have, by this time, resumed its sway. The picture of the poverty-stricken masses of his countrymen, and the injury that internal dissensions must inflict on them, will rise before him, and if he can resist the appeal—the dumb appeal though it be—of those helpless and ever-increasing masses, he must be something more or less than human. When he has once clearly apprehended that if he successfully presses the interests of his class, he must injure the best and most vital interests of his country, I feel sure that he will say to the State, “This Bill ought to pass in order to sweep away injustice to my class;” but events have proved that the time is unfavourable, and that if the “Bill is pressed now, it must do harm, and I therefore pray that the “interests of my country may, for the present, be preferred to mine, “and that this Bill may be cast aside till it can be produced and passed “without the smallest risk of inflicting an atom of injury on India.”

In conclusion, permit me to offer a few remarks for the information of those who have paid little or no attention to Indian affairs. I have pointed out that it is of pressing importance that capital should come in to provide employment for those vast populations, and, to show you how overwhelming this necessity is, I would call particular attention to the melancholy fact, that, within the last twenty years, upwards of eight millions have died from the most horrible of all deaths—starvation. The Government has struggled, but struggled in vain, against those crushing calamities, and unless industries can be found, to at once enrich the country and supply means for employing the people, it is difficult to see how the revenues can possibly meet the charges for the famines of the future, which must obviously become more costly with the increase of the population. If then it is a fact that it is on the influx of capital alone we can ground any well-founded prospect of being able successfully to grapple with famine, it is evident that a very serious responsibility rests with those who introduce, or support, any measure which is calculated to lead to those internal dissensions which must either frighten capital away or cause it to be supplied at a dearer rate than it otherwise would be. While, however, that should

be carefully borne in mind, it should also in fairness he remembered that those who have introduced and supported such a measure as the Criminal Jurisdiction Bill, have done so without the smallest conception of the consequences that are certain to arise from it. And of this I feel fully assured, that if these consequences had been as fully apparent six months ago as they are now, this unfortunate Bill would never have been introduced.

One word more. I have called your attention to two remarkable phenomena connected with this Bill—the phenomenon of two well-meaning statesmen tossing a firebrand into the community in India; the phenomenon of a native press advocating the application of the firebrand while admitting that the flames it has caused have injured the vital interests of the people. Both of these phenomena I have endeavoured to explain. But there is a third phenomenon to notice, and one which I am quite unable to explain. How comes it that the Queen's Government stands quietly by without moving a hand to put out the fire? Is it that it is in the position of one of those electric eels which, after having delivered a certain number of shocks, is compelled to lie inert at the bottom of its tub and wait for the gradual accumulation of a fresh store of electricity? Or is it, as I much fear it is, that the Government here has refrained from acting because it has been actuated by party feeling operating on the system, either through the medium of conscious or unconscious cerebration? But, gentlemen, if the Government here has been actuated by party considerations, I trust that no such feelings may spread throughout the Houses of Parliament, that they may decide this matter from no general feeling of acting with their party, but decide only after careful and independent examination, and in whatever way may seem best for the advancement of the public interests and welfare of the inhabitants of India generally.

General Sir ORFEUR CAVENAGH, K.C.S.I.: My Lord, Ladies, and Gentlemen,—As the Chairman of the Council of the Association under whose auspices this meeting has been convened it may, perhaps, seem right that I should say a few words upon the important subject now under discussion—a subject which has excited so much agitation and which has caused such a display of feeling among all classes in India. If in doing so I utter a syllable that may wound the susceptibilities of any of my native Indian friends, I hope they will pardon me, and I can only assure them that I shall not do so willingly or intentionally, but I hold that in expressing an opinion upon a matter of public interest one is bound to speak what one honestly believes to be



true. (Hear, hear.) I have read, with the respect and consideration which any paper emanating from Sir Arthur Hobhouse deserves, the able article which he has written in *The Contemporary Review*, but I am afraid he has not converted me so far as to believe in the soundness of the views he has enunciated. Theoretically, we are perfectly in accord, but practically we certainly differ. Perhaps this may be attributed to the fact that Sir Arthur's opinion of native character may, in a great measure, have been formed from an acquaintance with the English speaking community of Calcutta. Mine has been derived from a long and intimate intercourse with all classes and all races of our fellow-subjects in the East. Sir Arthur is always so fair in his arguments that I think the following passage must have arisen from a slip of his pen. He says:—"The Government reproved a magistrate for giving a mere nominal punishment to a European British subject whom he had found guilty of striking his servant so as to kill him. When, then, are these thinly populated lands, far from all English succour and which are to be presided over by a native civil servant? A coloured man who showed himself regardless of people's honour would soon find himself corrected by the Supreme Court." Now, I think that that passage is likely to mislead. If I remember rightly, the expression of opinion on the part of the European public did not occur until after the judicial superiors of that magistrate had, rightly or wrongly, expressed their concurrence in the decision at which he had arrived. Now, we all know the extreme jealousy of Englishmen of any interference on the part of the executive with the courts of law. I happen to have been at one time both head of a Government and the President of a Court, and, therefore, I have some personal experience as to that feeling. Equally with those great men, Montstuart Elphinstone and Munroe, I have ever held that an All-wise Power has been pleased to bestow upon Great Britain rule over our Indian empire for a far grander object than her own aggrandizement or the advantage of her own sons. (Cheers.) It is her bounden duty to exert to the utmost of her endeavours her civilizing agencies for the purpose of elevating and improving both the moral and material condition of the teeming millions entrusted to her care, so that in due time they may acquire the power of self-government; but, at the same time, it is right and wise that she should act with due caution, that she should be careful that in carrying out her appointed task she may not diminish her own powers for good, and that she should remember the old adage, "The most haste is sometimes the least speed." Now, one of the most powerful of the civilizing agencies that England has at her command is the intro-

duction into India of European intelligence, European energy and European capital, but as Mr. Elliot has told you, capital is very timid and is easily scared away; and with a view to attracting capital it is essential that there should be thorough confidence in the administration of the law. It may be that the opposition that has been raised to the extension of the power of native magistrates is to some extent founded on prejudice; the grievance complained of may be a sentimental one, but one must remember that mankind is moved by sentiment and even by prejudice, and that a wise legislator and ruler will always take account of those feelings, possibly, however, the opposition is based on more substantial grounds than unreasoning prejudice. If our native magistrates were entirely selected from the manly and straightforward races of the north-west, and other parts of India, amongst whom there are hundreds and thousands in whose sense of justice I would willingly confide, I believe that any objection to the measure on my own part would dwindle down almost to vanishing point, but I think it will be found that possibly the majority—certainly a very large proportion—of our native civil servants are taken from those southern races, which though possessed of astute and subtle intellects are not as a rule endowed with those high and sterling qualities which entitle their northern countrymen to our esteem and respect. (Cries of Untrue.) As the accuracy of my remark is challenged, in support of my position I will quote, although I had not wished to do so, Lord Macaulay's description, and I think we shall all acknowledge that his evidence is unimpeachable. (No, no.) He states, if I remember rightly, "What the sting is to the mosquito, the horn to the buffalo, and the fang to the tiger is deceit to the Bengalee." Now, it is strange that those races who owe almost everything to our rule—liberty and education—who without it would possibly have been mere hewers of wood and drawers of water—(Oh, oh!)—should have expressed the greatest hatred towards us. (No, no.) As a proof of this I would call attention to the contrast between the temperate and clever speeches delivered at the Town Hall, Bomhay, at the meeting there—speeches which I have read with great interest and, I may say, with great pleasure—and the invectives and diatribes that have appeared in the native press of Calcutta. I do not for a moment assert that the whole of the educated Bengalees are animated by hostile feelings towards us, far from it, but I do say that there is a great leaven amongst them of that feeling, and it is possible that some of those who enter our service may be imbued with that sentiment. Now, supposing that a native magistrate who had that feeling was placed over a district in which there were a few Euro-

peans, against one of whom he might have, for any cause, a grudge, do you think he would show that grudge openly? No. But a hint from him to some of his followers and you would soon have false accusations preferred, false witnesses brought into play and the victim would find himself entangled in the meshes of a net from which he could not easily extricate himself. On this point Sir Arthur Hobbhouse has stated, "A coloured man who showed himself regardless of 'people's honour would soon find himself corrected by the Supreme Court.'" I should like to know in such a case on what ground the Supreme Court could interfere. The evidence would be quite *en règle*; the guilt of the accused would be clearly proved, for you have (I am stating this from my own personal knowledge) schools in Bengal where false witnesses are trained exactly similar to those schools which Dickens has so ably described for preparing pick-pockets in "Oliver Twist." Under those circumstances I think that the action of the Government has been unwise, unnecessary, and premature. (No, no.) They have raised a storm which possibly they may have some difficulty in allaying. Whether it will be wise for them now to entirely withdraw is a question of course for their consideration, but if they do proceed, which perhaps it is right they should do, and invest all magistrates with the same powers, then they ought to give to every European British subject the right to claim to be tried by one of his peers. When the bitter animosities that unfortunately have now been excited may be somewhat allayed it is possible that that right may not always be exercised; in fact, whether a magistrate is European or native, if he performs his duty justly, his uprightness and integrity will soon be fully recognized by all classes. Even supposing that the right were exercised on all occasions I cannot discover that any very great inconvenience would accrue. India is no longer what it was when I was a boy, when if a European committed a criminal act in the north-west provinces there was the greatest difficulty in bringing him to trial. Now we have a net-work of communication throughout the country, and supposing that a European against whom an allegation was brought chose by demand the right to be tried by one of his own countrymen, there would be little difficulty in transferring him to some neighbouring district where a European magistrate could be found to investigate his case. But, as I said before, I believe that when the present angry feeling somewhat subsides the honesty of an upright magistrate will be acknowledged whatever may be his colour or race. I will not detain you longer. There are many more able than myself to speak on this subject, but this I can assert that there are none who have more at heart the welfare and prosperity of the country in

which I have served for so many years, or who cherish a more grateful recollection of its people. (Cheers.)

Colonel PRENDERGAST WALSH: My Lord, Ladies and Gentlemen,—It affords me great pleasure to be here to-day, because I have spent a large portion of my life in India, and therefore, I submit, am rather qualified to give an opinion upon the question now before you. Those native gentlemen who are present will, I am sure, know that I have always had the most cordial feelings of friendship towards them and their country, in which land I have lived for so many years. At the outset I would be distinctly understood to say, that in expressing my views to-day it is not that I am antagonistic to those persons amongst whom I have spent the early and some of the pleasantest days of my life, because I am glad to own I have found many of the natives of India good and true men. But it has been my lot to sit upon the bench in India, and it has been my grief to witness perjury and to hear of subornation of evidence constantly occurring in courts presided over by English or native magistrates or judges. It has been my lot to witness cases got up against innocent persons out of pure spite, or for the sake of money, and I am aware that in the Civil Courts of India, cases have been tried before native officials, who have been within the reach of bribery, and who were convicted and punished for corrupt and dishonest practices, but I do not know of any case in which an English judge was so convicted and punished. I say, my lord, it was a mistake on the part of Lord Ripon to stir up anger, jealousy, evil prejudices, and the downright hatred, such as has been created in the minds of our native friends in India, by inventing this uncalled-for measure. And what do Lord Ripon's supporters say now? They say it will only place about nine native magistrates or judges over Europeans, and, therefore, it will not do any injury to English interests in India! Well, if it will only place eight or nine Indian magistrates or judges on the bench, with power over Europeans in a vast country, I ask why does his lordship disturb the feelings of the people of India and enrage the European community in Hindostan by proposing an amendment to the law that never was asked for, and which, if it is ever carried out, must end in blood and destruction? Owing to the race ill-feeling which it will produce, Lord Ripon has made a great mistake—such a great mistake that, if we lived in the days of Warren Hastings I, although only an humble and retired soldier, should be only too glad to stand up and impeach my Lord Ripon at the Bar of the House of Parliament, because I think he has very wrongly and very improperly created ill-feeling amongst the

people of India, and thereby injured the prospects and interests of Her Majesty's subjects in her Empire beyond the seas. What has he done? He has not prevented the vernacular press of India from speaking in the most atrocious language—language which must have been put before the law officials of the Crown, though they do not proceed upon it, and which was in many cases actually akin to treason. (No, no, from the native gentlemen present.) I am speaking now of the vernacular press. You must remember that in India you have men living up country, railway guards and planters and so on, working where they are far more removed from other European society, and if you give to the native magistrate the power to deal with those men, those Englishmen may be sent to prison before their grievances can be heard or redressed. Then there is another thing that should be distinctly understood, the natives of India have many class privileges, whilst the European community in India have never had but one class privilege, and that one class privilege is the birthright of every Englishman, it is, he must be tried by his peers. You won India by the blood and bravery of your soldiers; you hold it by the indomitable skill and pluck of your soldiers and civil administrators. Why should you now give that which was never asked for by the natives? (Dissent, from the natives.) Having spent much of my life in India, I say that her people never pressed for this measure at all. Why should you give them what they do not ask for, and what has never been pressed for except by those persons who always make political capital out of anything? What body is it that is pressing for this measure? You have got in India now a league very much resembling that terrible league in my own sad country, Ireland. You have seen the fearful results of the Land League in Ireland; you have seen large numbers of poor men brutally murdered; you have seen Lord Frederick Cavendish and Mr. Bourke murdered in the broad light of open day; you have seen a few days ago five men sent to meet their doom on the gallows—and all through the agency, as is generally believed, of the Land League. (Oh, oh!) And I beg of you who are agitating to induce the Government of India to pass this Bill to look at the effect of leagues and agitation in Ireland. We have never had in India since the days of 1857, when I was out there—I allude to the time of the Mutiny—such tremendous excitement as there is now existing; there must be surely some foundation for that excitement, and this agitation must be stopped. The dominant race in India must be allowed to have their legitimate rights and place. They have done everything for the natives of India who admit it, and the natives of India as a body, I beg to say, do not want this measure

at all. It is only some of the people in Madras, Bombay, and Calcutta, who have got up this movement, and I aver that it does not represent the feelings of the 240 millions of the people of the country who have not declared at all for it. The Chambers of Commerce of Calcutta and Madras have declared nobly to the people of this country, through the press, that this measure is not wanted. Those Chambers are composed of men of the highest commercial honour, and I say you ought to listen to them. But it is in the Mofussil that the great injury will be done. They tell you that the Bill will do no harm, because already in the great presidency towns native magistrates are invested with powers to deal with Europeans. True, but that is only under the glowing light of a splendid and glorious press, and the practices that might be carried on in out of the way districts could not prevail in the presidency towns. But far away up country, hundred of miles from European society, and from the Supreme Court, with no public opinion to appeal to, no press to go to for publicity and protection; every isolated European, if this Bill passes, will be put at the peril of being arrested and committed upon false and unborne evidence. I have heard of evidence given in open court upon oath being procured for four annas. If that is the case, if you can buy an oath for sixpence, it only shows again the danger to our liberties which this Bill involves. I say, let us not imperil those liberties of Englishmen in India which were won so nobly by the chivalry of our forefathers. We have won our political freedom for ourselves in this country through a long struggle extending over the last six or seven centuries, and the people of India cannot expect now by one blow of legislation and by agitation to achieve rights and privileges identical with those which we only enjoy as the result of the labour of 700 years. I say distinctly we ought not to give them the same until they are ripe for it. We have conceded a great deal to the natives of India. We have given them colleges and education. We have conceded to them almost everything, but we cannot and shall not give them the power of trying us upon criminal charges and dragging our wives and daughters into open court before a native judge. (Cheers.) It is urged, as I said before, that if this Bill pass, it will only lead to the creation of new magistrates with power over Europeans. Then why give this measure at all if that is the case? I say they are trying to get in the thin end of the wedge, but, I say, if passed, it will operate against the liberties of the English in India and against the interest of the very people of India themselves. Another strong argument used against the measure is that it will assuredly drive away capital from India. People will not send out money to India to invest it in

factories and so on in far away up-country stations, if their officers and *employés* are to be subjected to native criminal jurisdiction. I say most distinctly that you will injure India by passing this Bill, because you will prevent people from going to that country and from investing capital in the carrying out of commercial operations there. I say we have a right to demand safety for our people far away out in India—our planters and railway officials and so on, who are often accused of crimes, as we know, upon false testimony. I am sorry, my lord, to say that the agitation in favour of this measure has interrupted that good feeling and friendly intercourse which was growing so well between the natives and European populations in India. We have been going on splendidly, happily, and prosperously since the Mutiny up till this time. We were getting our finances into good order; trade was advancing, railways were opening up the country, when in an evil moment the agitator comes forward and attempts to put a stop to all this progress by teaching the people of India to demand a measure which can only deter Europeans from going to that country and assisting in its development by giving it the benefit of their commerce, industry and capital. I will not say any more, for I have said perhaps too much already. Some persons have lately proposed that there should be a compromise. My lord and gentlemen, there must be no surrender, no compromise—(cheers)—but you must go to every town in England and denounce this measure. You must demand of your county members that they shall protect your fathers and sons who beneath the blazing sun of India are sustaining the honour, glory, interests and prestige of the British name, who have only the honour of their country at heart when they appeal to home friends to stop this measure; you must not desert the few Europeans now out in India; you must not allow this Bill to pass; you must go to the House of Commons, you must petition and you must convince the people of this country that this measure is destructive to the interests of the European population in India, and that it is a blow against the supremacy of England in India. I do not wish to make any unkind attack upon Lord Ripon; but I must say, in conclusion, to be truthful, that there is not the slightest doubt but that he has committed himself upon many occasions, and in this instance in particular, to a miserable weakness. He has done one thing, the papers tell us, and that is, he has excited a feeling of disgust among the soldiers of the army, who would not willingly be tried by native magistrates. I do not believe the soldiers ever said so, still it is bad that such should be said; and Lord Ripon is to blame for causing such remarks and raising such a discussion.

(Cheers.) I have to thank you for having heard the humble remarks I have had the honour of addressing to you, and I ask you to do all in your power to convince the Parliament of your country that this measure is not a rightful measure, that it is fraught with great danger to India, that it is abhorrent to the Europeans in India, and that it will cause an ill-feeling between the Europeans and the natives out there. I trust it will be dismissed, and that nothing will be heard of it again, and that we shall be allowed to govern India as we have been doing, and to go on as we were going on, so comfortably, until this agitation arose, and that India will remain as she has already been described to be, the brightest and most glorious gem in the crown of our Sovereign and Empress of India. (Cheers.)

Mr. A. ARATHOON advocated the passing of the Bill and maintained that it was founded on just principles, and tended to prepare India for self-government and independence. Mr. Arathoon having been often interrupted by the Chairman, objected to his speech being published.

Colouel MALLESON, c.s.i.: My Lord, Ladies, and Gentlemen,—I would rather have waited to hear some more weighty arguments against those of the honourable gentleman who read us this lecture this afternoon than those which have been produced by the gentleman that has just sat down. In the argument which he used, I fail to see anything which touched the main point of the lecture of Mr. Elliot. The honourable gentleman did, indeed, cursorily allude to the main objection taken by Mr. Elliot, that this measure would have the effect, the very disastrous effect of preventing the introduction of capital into India. I feel bound to notice it. I must say I think that that point might have been argued, or, at any rate, might have been touched upon with greater force and at greater length than that honourable gentleman devoted to it. It is impossible for me in the few minutes allotted to me to dwell upon the matter further; nor is it at all necessary, because the arguments of Mr. Elliot have been practically left unanswered. I will, however, just touch upon one point which the honourable gentleman who has just resumed his seat referred to, and that is as to the necessity of introducing this measure. Now, the honourable gentleman laid down a great many platitudes in which we may, or may not, agree, such as the forming of the minds of the natives, their education for the ultimate purpose of governing themselves. But I, for one, am at a loss to see how that object is furthered by the sudden and unforeseen introduction of a scheme which has



already produced hatred between the white race and the coloured race, and which, if it is persisted in, will make that hatred permanent in the country. But, my lord and gentlemen, I associate a great deal with many native Indian gentlemen in this city, and it was my fortune not very long ago to be at the house of one of them at which there were present two or three others. These gentlemen, referring on the outspokenness of their hearts to the Ilbert Bill, said : " We rejoice in " this measure, because we regard it in the same light as that which " the Americans regarded the shipment of the first cargo of tea to the " Port of Boston. It will produce an ill-feeling between England and " the natives of India, which no future legislation can assuage, and " will eventuate in procuring for India its independence." It is in that account, whatever might be its momentary advantages—it is because this measure has produced that feeling—that I contend that it is the duty of every honest native of India and of every honest Englishman to protest against it. Why, my lord, what are the advantages to be gained by this measure? I have listened to the arguments which were adduced to-day and on a previous occasion, and I have not heard one single speaker touch on the advantages which his countrymen will gain by such a scheme as this. What the disadvantages are have been put before in language which has gone to the heart and to the intellect of every man who heard it. But what are its benefits? What are the advantages of giving a commission to nine native gentlemen to try Europeans? You say, " Because it removes an anomaly." But, dear me, if we are going to the removal of anomalies, I ask you, where shall we stop? If you say what you have said, that it is necessary that natives and Europeans should be treated alike, I ask how the Mohamedans will feel when they have their wives brought into court. Remember the life of seclusion which Mohamedan ladies live, that they are not allowed to show themselves to the public at all. How, then, will Mahomedans like to see their wives brought into court, and located in the same way as the wives of Europeans? How will Hindu gentlemen—gentlemen like my friend, the Rajah of Rampore—like to see their wives and daughters treated in the same way? Why, my lord, if you begin with the removal of anomalies, it will be productive of mischief, such as can hardly end but in bloodshed—mischief, compared to which this miserable Bill, this work of ignorant men—(No, no)—the honourable gentlemen who call out " No, no," will have an opportunity, I have no doubt, of proving that those who introduced this Bill are not ignorant, but they are wise and learned men; but I can only say, in the language of Mark

Anthony: "True, they are all honourable men." Yet they have managed to introduce enormous mischief into India. It was said by one of the previous speakers that, before this Bill was introduced, the harmony between the natives and Europeans was complete. I have lived myself thirty-five years in India, and I have associated on the best terms with the natives of India. I correspond with them still, and all my correspondents in India, who are men of learning and culture without one single exception, wrote to me and told me that there has been nothing so abhorrent to their own minds as the introduction of this Bill. Who are the supporters of this Bill? The supporters of this Bill are not the representatives of the learning and intellect of India. (Oh, oh!) They are, for the most part, the flatulent students of Bengal—(interruptions)—men who, before our countrymen went to India, were ground down by Mohamadan tyranny. They never did represent the voice and the opinion of the people of India—(interruptions)—and they do not now. However they may talk in this hall—and I hope that they will talk manners, which should be more convincing than their constant interruptions to the speakers to-day. However they may talk, they will not succeed in upsetting the solid argument used by Mr. Elliot as the basis of his most able lecture.

The Rajah RAMPAL SINGH: My Lord, Ladies, and Gentlemen, —I have given careful attention to the paper read by Mr. Elliot and I have listened with great interest to the hearty, and rather heated, discussion which has followed. As regards the paper of the learned lecturer while I am not unconscious of the skill with which it has been composed, I am free to own the impression that while affecting to keep to the main subject described in the title, Mr. Elliot has, to a great extent, failed in impartiality. (Hear, hear.) In a word, Mr. Elliot while deploring the retention of party feeling in Indian questions, has himself been guilty of the same offence. He has not succeeded in establishing the reputation for disinterestedness which he claims. (Hear, hear.) He asserts that the agitation among the natives of India regarding the Ilbert Bill has been nurtured by a few among the educated class, and that the uneducated masses have had no hand whatsoever in it. I deny that altogether; and, as a native of India, I believe I am in a position to know the facts of the case better than my friend, Mr. Elliot. Besides, I have the honour to be the President of the Indian Society which has been lately started in London for the purpose of representing Indian grievances to Parliament—(Hear, hear)—and in that capacity I have heard from people in all parts of India—

from Bengal, Bombay, Madras, and other Provinces—and I know there is a strong, unanimous and popular feeling in favour of this Bill. (Hear, hear.) One other point:—It is calmly asserted that to Lord Ripon is to be attributed the mischievous agitation which has arisen over this Bill. But such is not the fact. The deplorable turn which the controversy has taken is wholly and entirely attributable to the reprehensible behaviour of the opponents of the Bill in Calcutta and elsewhere. (Hear, hear.) Lord Ripon has always laboured to unite the English and the Indian peoples in sympathy and in objects; and no impartial man can honestly accuse him of causing any of the ill-feeling which has followed the unbridled licence of the “European” agitators against the Bill. To such an extent of bitterness has this *animus* been carried that a cry has been set up by the European agitators for the recall of Lord Ripon; whereas the natives of India see in his lordship their true friend, and would, if they could, keep him as Viceroy for ever. (Hear, hear.) Upon one point I can thoroughly agree with Mr. Elliot—the construction of the Government of India is faulty, and “the interests and wants of India are neither adequately represented in Calcutta, nor in England.” And although I contend that Lord Ripon is right in this matter of the Ilbert Bill, I am not the less convinced of the necessity of providing a better system for the representation of the wants and wishes of the people of India. (Hear, hear.) As to another point, Mr. Elliot has made effective use of the argument about the alarm among the capitalists of India. Doubtless there has been a great deal of panic, but, after all, it is permissible to remember that capitalists go to India less for the benefit of India than for themselves. And if it be admitted that European capital has done something to stimulate Indian trade, it has been a profitable business for those who brought it. The notion that there was any philanthropy in the venture is an erroneous one; capitalists have fructified their money, and when they can see any better investment they will withdraw the capital without affectation of any benevolent sentiments. (Hear, hear.) I am not prepared to say, moreover, that this withdrawal would be so bad a thing for India as some people suppose. Times were when the savers of money in India were wont to bury it in the ground as the only safe place for it, but now that this habit is decaying by the change of circumstances it may well happen that the withdrawal of European capital from profitable fields would discover that native capital is obtainable. (Hear, hear.) Only one other point have I time to refer to. The fear professed about the liberty of European capitalists when in the power of a Mofussil native magistrate must be to a large extent

affected, for the European capitalist class are, for the most part, dwellers in the cities, where, though they are under the jurisdiction of native judges, they live under no apprehension. In conclusion, my lord, I thank you and the meeting for a patient hearing of the few objections I have felt bound to offer.

Mr. J. M. MACLEAN: My Lords, Ladies, and Gentlemen,—With reference, first of all, to what the Rajah Rampal Singh has said just now, I think he entirely misapprehends the position of the unofficial European community in India against whom this Bill is directed. He says that “that community principally inhabit the great cities of India.” Now, that is a very great mistake. This Bill is really directed against the great planting and industrial community of Europeans that is scattered about the districts in all parts of India. Now, with all respect to the officials and the various classes of civil servants and military men who have done good work in India, I will say for my part, that the great glory of England in India is the work done by the non-official class in that country. It is that class which has built the railways, which has covered India with great public works, which has developed her mineral and agricultural resources in a way which the natives themselves would never have dreamt of, which has enriched India with new industries and new sources of trade, and has in that way brought India into closer connection with England and made that country more beneficial to this great empire. (Cheers.) Therefore, it is not against a class like that that the Government of India should spring a mine in the way that it has done by the introduction of this Bill. Let me say what my great objection to this Bill is. In the first instance, I say that it is brought forward not to redress any practical grievance whatever. No advocate of the Bill has yet ever produced a single instance of miscarriage of justice under the existing law. The introduction of this Bill is practically gratuitous. It is brought forward at the instance of a native gentleman who belongs to the Civil Service; but the grievance that he puts forward is simply a sentimental one—something that may happen to him hereafter or to one or two of his colleagues in the Civil Service. Now, we have had it practically admitted by Mr. Arathoon, amongst others, that they rejoice in the introduction of this Bill, not because, as was said by the Government of India, it was a very small measure, but because they see in it a link in the chain—it is one step towards the attainment of their great purpose of giving India the benefit of self-government and self-rule. (No, no.) I appeal to the audience if that is not the purport of the speech which Mr. Arathoon has delivered here this afternoon.

Mr. A. ARATHOON: May I rise to a point of order? I said that that was my feeling; I cannot speak for the natives of India.

Mr. MACLEAN (continued): Then, my lord, I pass by Mr. Arathoon and I refer to the petition which the native inhabitants of Bombay drew up some months ago, and in which they expressed this sentiment: "Your Petitioners accordingly consider the Bill in question "as only one short step in the direction in which British policy in this "country has uniformly progressed." They make no secret, and the native press makes no secret of its belief that this is only one short step taken towards the attainment of a state of things which I believe to be utterly impossible of fulfilment. I take my stand upon Macanlay's declaration that we cannot give India free government; all that we can give her is a firm and impartial despotism. I do not agree with a gentleman who has spoken this afternoon, that England can ever hope to give India the full blessings of self-government. I do not believe that India will ever be separated from England, except by an act of violence, and therefore I look upon those as the worst enemies of both India and England who encourage in the minds of the people of India any notion that they will ever attain an impossible condition of equality, and that this Bill which they have introduced is only the thin end of the wedge which will hereafter lead to the full enjoyment of those liberal institutions which we ourselves have in England. I may quote a gentleman whose name will be held in respect, no doubt, even by the young native gentlemen whom I see around me—I mean Mr. Bright. Mr. Bright said lately at Glasgow, "That it was absurd "for us to suppose that we could give the natives of India education, "and so forth, without inducing them to long for the breaking of that "foreign yoke to which they are now subjected." Well, does Mr. Bright know what would be the consequence of that? As I have pointed out on several occasions upon which I have spoken on this subject, if the natives of India ever attain self-government and freedom from British control, the first thing they would do would be to set up a prohibitive tariff and destroy the trade which Lancashire now enjoys in that country. I am supported in that opinion by this simple fact, that when the Secretary of State a few years ago resolved to abolish the import duties on Manchester goods, every native in the country protested against that step being taken. Therefore, my lord and gentlemen, I say that what Mr. Bright looks forward to is a perfect absurdity. He imagines that the people of India will be set free by England and that then they will owe us undying gratitude. There is no such thing as gratitude in politics. The very moment we set the people of India free, they will look after their own interests

and do all that they can to injure English interests—that is on the supposition that they can ever be made fit for freedom. But we know that with the position of things in that country, with the warring races that inhabit it, with the physical condition of most of them, and with a great European power pressing close down on the frontier on the other side, India could never really ever become independent. She must, if we abandon her, fall into the hands of the greatest European enemy of England. It is on those grounds, my lord, that I oppose this Bill; because I am convinced that it is, as the natives themselves in India say, only one step taken towards the destruction of English rule in that country, and I hope that Englishmen who feel an interest in India will not rest until they obtain the unconditional withdrawal of this Bill. I heartily support what the Chairman of the Council has said, that no compromise at all is possible in the matter. It is a question of principle and we must not rest until we obtain the withdrawal of this measure.

Mr. ROPER LETHBRIDGE, C.I.E., said: My Lord, Ladies, and Gentlemen,—I fear from the outcries made by some of my young friends below that we are getting into somewhat stormy waters. I hope it may be permitted me, as one who has always conscientiously done his best to befriend the young natives of India, to endeavour to throw oil on these troubled waters. Here in England at least, where we are far from the turmoil of the controversy raging in India, we can discuss this burning question dispassionately. (Hear, hear.) Like the preceding speaker, who has somewhat anticipated me, I had taken down for comment the remark of Mr. Arathoon, that “the highest aim of the Government of India ought to be to train the people of India for self-government, and so to fit them for independence.” My lord, I appreciate as highly as Mr. Arathoon does, the virtues which he would have the Government of India encourage in the natives of India; but I entirely and most emphatically dissent from his view of what the highest aim of the Government ought to be. I say, and I believe there are few here who will not agree with me, that the highest aim of the Government ought to be the happiness, honour, and prosperity of that glorious British Imperial Federation, of which India has long been a very important, and I hope will always be a most thoroughly loyal member. (Cheers.) My lord, in this Association there are many of us who have for years past devoted a large share of our lives and energies to the task of improving and rendering more cordial the relations between the English and the Indian races in

India. For all such, I do not hesitate to declare that recent events, in connection with this Criminal Jurisdiction Amendment Bill, have been simply heart-breaking. (Hear, hear.) At the very moment when we seemed to be attaining a most remarkable measure of success in our endeavours, the Government of India, like Jove thundering out of a pure sky, has launched upon us this ill-advised and uncalled-for proposal, and has destroyed at a blow our labour of years. That it was uncalled-for, in the sense of not having been generally, or even widely, demanded by the natives of India—until the demand was created for them—is a fact that cannot be questioned by any one who has been in the habit of reading the native papers; and, in justice to the supporters of the Bill, I must say that I have not seen it seriously questioned by them. Nor was it called for or advised by any subordinate official authority. And this is the first important point to which I would direct your careful attention, for it has been stated by no less an authority than Sir Arthur Hobhouse, that the local governments authorized, or at least assented to, the measure. Ladies and gentlemen, it cannot too often be insisted on, that the proposals of Mr. Beharilal Gupta, which were to some extent endorsed by Sir Ashley Eden, pointed to something altogether different from what is known as the Ilbert Bill. The published papers show that Sir Ashley Eden assented merely to this proposition—that the jurisdiction over European British subjects should be extended to those native civilians of the *Cornanted* Service who might have risen to the rank of District Magistrate or Civil and Sessions Judge. Now, Lord Ripon proposes to extend that jurisdiction, not only to the class named—a small and highly-select class—not only also to Cantonment Magistrates and to that branch of the Civil Service that is appointed in India—but also (a far more important extension) to Assistant-Commissioners in non-regulation provinces like Assam. The immense importance of this extension in such provinces will be evident at a glance when it is remembered that any eccentric Chief Commissioner of Assam will have the legal power, by the stroke of his pen, to turn every Extra Assistant-Commissioner in Assam into an Assistant-Commissioner, and thereby extend this jurisdiction virtually to the whole subordinate administration. (Cheers.) The second point on which I would insist is this: that in introducing this measure, and thereby creating a demand for it, we are teaching our native fellow-subjects one of the very worst possible lessons we could communicate to them or to any community. We are teaching them the lesson of intolerance. (Hear, hear.) In urging them to look with grudging and intolerant eyes on the sentiments and feelings of our own

poorer and weaker fellow-countrymen, we are teaching them a lesson of mutual hatred and malice, that cannot fail ultimately to extend itself to the various sects and communities that exist among the natives themselves. (Cheers.) Even if we were to admit, for the sake of judgment, that the sentiment of Anglo-Indians on this point is a mere prejudice, I would have had the Government encourage, as far as possible, toleration and respect for it. But I am far from admitting that the sentiment is nothing more than a mere prejudice. There is one aspect of the case, in regard to which I would confidently appeal to any bonorable, high-minded native gentleman—and I have the pleasure of counting very many such among my friends—to say whether there is not real, tangible, logical foundation for the sentiment. I refer to the trial of English women—and especially the poorer classes of English women in India, the wives and daughters of railway *employés*, factory and plantation overseers, and the like—by native magistrates. I appeal with perfect confidence to any honourable native gentleman to say frankly whether the most enlightened classes of our native fellow-subjects, as a body, have as yet at all risen to our own English ideas of the position in society of the female sex. I am well aware that, in the seclusion of the Zenana, there are no women in the world to be more highly esteemed than the ladies of India. But is it, or is it not, an unquestionable fact, that publicity of any sort is still regarded as infamous for respectable women of every class in Bengal? Is it, or is it not, an unquestionable fact, that the whole social system of India is founded on the strict seclusion of women, and other customs that are altogether unintelligible to us, and that strikes us as prejudices and anomalies? Ladies and gentlemen, I need not dwell on this point further. To me, I confess, the position of the opponents of the Bill, in this most essential matter, seems absolutely unassailable on any ground, either of logic or common sense. It is this aspect of the case, in particular, that makes me a determined opponent of the Bill; and I trust the time is far distant when the men of England will learn to listen to the just scruples and reasonable fears of their wives, their daughters, their sisters, with no more sympathy than is involved in the cold and heartless sneers of Radical philosophy. (Loud cheers.)

Mr. WM. MARTIN WOOD: My Lord, Ladies, and Gentlemen,—It seems to me the title of this paper is somewhat misleading, though, of course, not intentionally so. Mr. Elliot has a perfect right to give to his paper whatever title he thinks best; but instead of speaking



of the "attempt" to pass the Criminal Jurisdiction Bill, the question should run—"Is the violent and factious opposition that has been raised in Calcutta against this Bill calculated to promote the public interests and the welfare of the inhabitants of India generally?" So far as Mr. Elliot himself is concerned, we separate him entirely from that agitation in Calcutta. He has long been a consistent supporter of this Association, *The Journal* of which he has enriched with many valuable papers, and we know him to be a man above the prejudices of class; he has not planted "written on his forehead," nor is there any shade of indigo on his genial countenance—

The Noble CHAIRMAN: I do not think I ought to allow any merely personal remarks.

Mr. WOOD: My lord, I was only making a passing allusion to a well-known work of fiction by Mr. Elliot. Now I say that not only does this title of the paper suggest a misleading issue, but all through Mr. Elliot puts the saddle on the wrong horse. The agitation that has been carried on in India—

The Noble CHAIRMAN: The paper does not mention an agitation.

Mr. WOOD: There is a specific reference to the "agitation" on page 247, where an extract is given from a native paper; and, after quoting it, Mr. Elliot claims to have shown "how completely reason, common sense, and the best interests of the people have been thrown overboard during the heat of this miserable conflict." And so much does Mr. Elliot persist in putting the saddle on the wrong horse that on the next page he speaks of all these troubles as the "effect of the Bill." But this excitement is not the fault of the Bill at all; it is caused by the agitation raised in Calcutta—an agitation which was characterized, as I need not say, by most disgraceful language. (Hear, hear.) Much has been said this afternoon as to the state of public opinion in this country on this question; but I contend that public opinion in this country has been very largely misled by *The Times* correspondent. Now, I am old enough a journalist to believe in the doctrine that anonymity affords, on the whole, the best means of ensuring an honest and independent expression of opinion. But the writer of news letters or a special correspondent is a reporter, one who should state facts. So we have a right to hold *The Times* correspondent personally responsible. I happened to be in Calcutta at the time when that gentleman was appointed, and I know that he was one entirely without any previous political or journalistic experience whatever. And now when the test comes and he should be only an impartial reporter, he has thrown himself into the hand of one of the

most violent agitations and partisan movements that ever arose in the Calcutta capital. (Hear, hear.) Some speakers, as also Mr. Elliot himself, have blamed Lord Ripon for bringing in this Bill; but it is not only the Viceroy's measure. This is really only what has been intended to be done for years before.

The Noble CHAIRMAN: Will you please speak of the merits of the Bill, and not of the merits of Lord Ripon?

Mr. WOOD: Certainly, my lord. The real issue is, is the course that has been taken by successive Ministers and Parliaments, the course of governing India for and by its people, a policy followed by all our leading Indian statesmen including your lordship's distinguished predecessor, is this course to be abandoned? (Hear, hear.) I say that it cannot be abandoned; it may be obstructed and delayed at the bidding of this agitation; but it will not be abandoned. (Hear, hear.) Reference has been made to the Bengal native press, and, by contrast, to the course pursued in Bombay. This is much to the point. I would ask any here, who wish really to get at the merits of this matter, to peruse the reports of the large towns meeting held in Bombay, and also to study the petition then passed, and which will, I hope, be presented this week to Parliament. Copies of it are in the room, and you will see that it is a masterly document, one which men of any race might be proud to have written and adopted. I will just read the concluding portion of it. These Bombay petitioners say, "The question is really whether the natives of this country, no matter what their qualifications, their attainments, their learning, their experience and their services in the cause of their country may be, are always to be treated as an inferior race of men—whether that inferiority is constantly to be marked by invidious and galling distinctions. And this question, as already indicated, has now to be considered as part of the still larger question whether India is to be governed upon the righteous principles which were announced by Her Most Gracious Majesty, or by those of the opponents of this Bill." (Applause.) After so many have spoken it is impossible for me to do justice to this subject, but I should like before concluding to make reference specially to Mr. Elliot's special contention that the extension of native jurisdiction will prevent the introduction of British capital into India. That, no doubt, would be a strong argument, if made out. Now, I have known the non-official classes and the commercial residents of India of all classes for a long time. Although I may not know them in the same way that Mr. Elliot does, still I am able to form a tolerably good opinion as to how far they will be affected by a measure of this kind. And it seems to me that

this alarm, that capitalists will withdraw their investments from India on account of this bill, is enormously exaggerated. (Hear, hear.) Commercial men in India are not such thin-skinned folk. Anyhow, even if Englishmen would withdraw, I feel certain, and Mr. Elliot will appreciate this, that Scotchmen will not. (Hear, hear, and laughter.) Scotchmen are too energetic and too shrewd to be deterred by a trifle of that kind. (Hear, hear.) Too much has been said about what is called the unanimous opinion against this Bill. But look at the stand taken in favour of the Bill by *The Bombay Gazette*, which now occupies the position formerly held by *The Times of India*; look at the letters of Principal Wordsworth and other Anglo-Indians in favour of the Bill. And here I will just read two or three lines from a letter of a notable Anglo-Indian, who, I may mention, is a Tory, or, as he would say, an Imperialist—

The Noble CHAIRMAN: We have no Tories left, nor Whigs; they are extinct.

Mr. WOOD: Yes, and I am glad of it. Well, this gentleman of long experience, who has intimate knowledge of the natives of India, and has had good opportunities to know them, writes me to this effect: "I hope Lord Ripon will persevere with his Bill. The opposition to it "is insano" (this is not my word, my lord). He goes on, "I am sure "the good Calcutta Englishfolk will find this out before the Bill comes "under discussion again. It is a defamation of the majesty of our "Imperial race to protest that we can only govern India by the "maintenance of invidious privileges in our own favour." Now, I think, gentlemen, that that is a manful and truly English sentiment. (Hear, hear.) Reference has been made to Macaulay and the obloquy he had to endure forty years ago in respect of a similar advance in procedure; and we may fairly use his words now: "I have no fears. "The path of duty is plain before us, and it is also the path "of wisdom, of national prosperity, and of national honour." (Applause.)

Mr. A. ROGERS: My Lord, Ladies, and Gentlemen,—At this late hour of the afternoon, and after such a long discussion as we have had, I will only venture to make one single remark. The only plausible argument that appears to me to have been brought forward for this measure is that it will do away with certain anomalies. Now one anomaly has been mentioned by a gentleman here, viz.: that native ladies of position do not go into courts of justice to give evidence. I will go further than that, and point out that which all who are acquainted with the working of the laws in India will allow

to be correct; not only do native ladies not go into court, but it is considered a mark of considerable respectability on the part of natives of high caste and high position to be exempted from appearing in court. That is one very great anomaly, and if anomalies are to be done away with they should be done away with altogether on both sides. (Hear, hear.) Native gentlemen of good position are exempted from appearing in court as well as ladies of good position. In addition to that, let my native friends here say what is the position of low caste men with regard to appearance in court. Does not the Rajah not only consider himself defiled by the touch of a low caste man, but will he admit a low caste man into court to give evidence? I have been a magistrate for many years in India, and from my own personal experience can say that I have really had a considerable fight with the people of my own establishment before I could admit a low caste man into my court to give evidence before me. I have always resisted the prejudice, and when it was necessary for the ends of justice that a low caste man should be admitted to give evidence, I have insisted, although I have given way so far to the prejudices of the higher class of natives as to have the carpet taken up in order that he might come in, but have him in I would. These are also anomalies which, even if this Bill is not carried, ought to be removed; and I recommend them to the consideration of my native friends who uphold the Bill.

Several gentlemen asked the Council to consider the advisability of adjourning the meeting.

The Noble CHAIRMAN took the sense of the meeting upon this proposition by a show of hands, and, there being a large majority in favour, his Lordship announced that the Council would make arrangements for the continuance of the discussion at an early date.

There was some confusion at the close of the meeting owing to the great anxiety of many gentlemen to take part in the discussion but it was understood that Mr. W. TAYLER (late Commissioner of Patna) moved a vote of thanks to Lord Ellenborough for presiding; and that Mr. C. W. ARATHOON proposed a vote of thanks to Mr. Elliot.

## THE INDIAN CRIMINAL JURISDICTION BILL.

ADJOURNED MEETING—JUNE 27TH.

THE RIGHT HONOURABLE LORD STANLEY OF ALDERLEY

IN THE CHAIR.

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A MEETING of the members and friends of the East India Association was held on Wednesday afternoon, June 27th, in the Lower Hall, Exeter Hall, to resume the adjourned debate on Mr. Robert H. Elliot's paper, "Is the attempt to pass the Criminal Jurisdiction Bill "calculated to promote the Public Interests and Welfare of the "Inhabitants of India generally?"

The Right Hon. LORD STANLEY OF ALDERLEY occupied the chair, and amongst those present were the following:—Sir William Wedderburn, Bart.; General Sir George St. P. Lawrence, C.B., K.C.S.I.; General Emmott Rawdon; Lient.-General Anderson; Lient.-General H. St. Clair Wilkins, R.E.; Major-General Kennedy; Major-General Shorte; Colonel W. O. Conchman; Colonel R. M. Macdonald; Colonel Prendergast Walsh; Lient.-Colonel P. T. French; Lient.-Colonel Keith Jopp; Major Evans Bell; Major Kitson; Major Tabotean; Captain W. C. Palmer; Captain W. W. Ross; Mr. R. H. W. Dunlop, C.B.; Mr. Thomas H. Thornton, C.B.; Mr. J. R. Bullen Smith, C.S.I.; Mr. H. G. Keene, C.I.E.; Mr. Roper Lethbridge, C.I.E.; Surgeon-General Balfour; Surgeon-General E. A. Gordon; Dr. G. B. Clark; Dr. R. R. Cleve; Dr. D. H. Cullimore; Dr. Walter Dickson; Dr. G. W. Leitner; Dr. Montagne D. Makuna; Dr. and Mrs. R. S. Mair; Mr. J. D. Mayne; Mr. Alexander; Mr. Hamid Ali; Mr. Percy Ames; Mr. A. W. Andrews; Mr. C. S. Appleton; Mr. A. Arathoon; Mr. C. W. Arathoon; Mr. J. H. W. Arathoon; Mr. Atkinson; Mr. Satyaprakas Banerji; Mr. T. W. Barry; Miss Beales; Miss Belloc; Mr. W. Leigh Bernard; Mr. Mancherjee M. Bhownaggee; Mr. S. R. Bias; Mr. Massy Bindon; Mr. F. Bond; Mr. Swinburne Bond; Mr. J. H. A. Branson; Mr. W. Branson; Mr. J. A. Brown; Mirza Peer Bnksh; Miss Burnaby; Mr. R. H. Butterworth; Mr. Dadabhoi Byramjee; Mr. D. D. Cama; Mr. H. D. Cama; Mrs. Carter; Mr. M. D. Chalmers; Mr. F. B. Chatterjee; Mr. C. D. Collett; Mr. A. K. Connell; Mr. S. E. Coxhead; Mr. James Croppin; Mr. John Dacosta; Mr. Krishnalal Datto; Mr. H. S. E. Dias; Mr. Reginald Drake; Mr. Wm. S. Drogate; Mr. M. L. Dutta; Mr. S. P. Ekin; Mr. Thomas Finlayson (Madras);

Mr. George Fitzmanrice; Mr. George Foggo; Mr. Forbes; Mr. Forrest; Mr. Jehangir Dosabhoy Framjee; Mr. J. R. Goodridge; Mr. P. Pirio Gordon; Mr. A. H. Grant; Mr. Willio Grant (Madras); Mr. W. J. Grazebrook; Mr. P. M. Hakim; Mr. M. Hameed-Ullah; Mr. Charles Hancock; Mr. Samuel Harruden; Mr. A. C. Houston; Mr. W. A. Hunter; Mr. A. R. Hntchins; Mr. H. M. Hyndman; Mr. S. M. Israil; Miss E. L. Johnstone; Mr. J. Seymour Keay; Mr. M. Kumruddin; Mr. John Lambert; Mr. C. R. Lindsay; Mr. E. Stanley Llewhellin; Mr. Alfred H. Lonis; Mr. H. Luson; Mr. J. Macdonald; Mr. J. M. Maclean; Mr. C. C. Maeræ; Mr. M. Abdool Majid; Mr. D. W. Marsden; Mr. J. A. McCarthy; Mr. N. N. Mitra; Mr. J. E. Modi; Mr. J. F. Moir; Mr. N. J. Moolla; Mr. C. H. Offley; Mr. J. Palit; Mr. J. Pike; Mr. E. Pratt; Mr. M. Rafik; Mr. Khushwakt Rai; Mr. Alexander Rogers (lato of Bombay); Mrs. Rowley; Mr. S. K. Sanjana; Mr. Sen; Mr. A. K. Settna; Mr. G. B. Shaw; Mr. John Shaw (Madras); Mr. R. Spankie; Mr. J. Stevenson; Mr. R. B. Swinton; Miss Meadows Taylor; Mr. Walter Towner; Mr. W. Trott; Mr. Tyahjee; Mr. Inayat Ullah; Mr. Abdool Wahid; Mr. L. M. Wadia; Mr. J. W. Walker (Bo. C. S.); Mr. D. S. White (Madras); Mr. Edward Whitwell; Miss Willis; Miss E. Willis; Mr. E. F. L. Winter; Mr. W. Martin Wood; Mr. W. Hamilton Burn (Secretary).

The Nohlo CHAIRMAN, in opening the sitting, said the discussion was adjourned on the last occasion because the proceedings were not altogether successful in affording all sides an adequate opportunity for the expression of opinion, and there was no dissembling the fact that the last meeting had been disorderly, and not satisfactory to any of those present. Mr. Elliot's paper was written in very moderate and dispassionate language. No doubt he represented the side opposed to Mr. Ilbert's Bill, but there was not a word in it to which any one could take exception. If others who had taken part in these discussions had followed the same temperate and judicious course, the stirring up of bitter feeling would have been avoided. (Hear, hear.) Mr. Elliot, by the desire of the Council of the Association, would now briefly review certain of the objections which had been taken to his views on the last occasion; and thereafter the subject would be open for free discussion.

Mr. ROBERT H. ELLIOT said he had the honour to open the discussion that afternoon by making a few brief allusions to the speeches of those who opposed his views on the last occasion; and he regarded it as fortunate that he would not have to detain them long, inasmuch as

in point of fact, no one had seriously attempted to show that the Ilbert Bill, and the effects of that Bill have been advantageous to India, and harmless to "the public interests and welfare of the inhabitants of India generally." No one attempted to deny that dissensions are injurious to the interests of India; no one could deny that before this Bill there was peace and that now there is discord. No one could deny that, while a state of peace is favourable, a state of discord is unfavourable, to the introduction of capital. (Hear, hear.) Mr. Elliot proceeded:—There were two speakers, however, at the last meeting, as regards whose remarks I wish to say a few words,—the Rajah Rampal Singh and Mr. W. Martin Wood. Well, what had the Rajah to say against the facts of the lecture, as regards capital? He said that if English capital was driven out of India there was plenty of native capital to take its place. And I was very glad to hear that was really all the Rajah had to say, and I will tell you why. I know the Rajah to be a very shrewd-headed gentleman, and the moment I heard that remark I felt that I really had a very strong supporter in him;—for you cannot have a stronger supporter than a man who strengthens your strong argument by showing that he is obliged to have recourse to a very weak one. In short it would be a weak argument as regards any country, and it is peculiarly weak as regards India. Then as regards Mr. Martin Wood, I had the pleasure to find in him an even stronger supporter than the Rajah. He had two points to object to in my paper. In the first place, while he did not deny the evils I had pointed out as regards the irritation caused between natives and Europeans, he said I had put the saddle on the wrong horse, and that the evils had not arisen from the Bill but from the agitation against it. This sounds plausible, but it reminds me of the story of a man who once set fire to a house. It was burnt to the ground, and the conflagration spread so rapidly that many other adjacent buildings were burnt also. When charged with arson the man said it was quite true that the house had been destroyed, but that he did not mean to do it, and that in any case he was not to blame because what had destroyed the buildings was not the fire he had lighted but the flames which had spread from the materials he intended to burn. I forget now what became of that man, but I rather think the case ended in his being detained during Her Majesty's pleasure. Now I think that story is an exact illustration of the position of Mr. Martin Wood as regards this Bill. In other words he would have us believe that if a man puts a match into a powder magazine the mischief which results must be put down not to the person who applied the light but

to the actual explosion itself. And this contention alone ranks Mr. Wood amongst my warmest supporters. Then as regards the question of the effect of the measure on capital, Mr. Wood went staggering round the question only to arrive at the singularly lame conclusion that if the English withdrew their capital the Scotch would not. To what straits must Mr. Wood be reduced to have recourse to an argument of that kind! However, as in the case of the Rajah I was glad to hear it advanced because it enabled me to rank Mr. Wood as *de facto* one of my supporters; and I think I may fairly continue to do so until he adduces some more serious argument against the points raised in my lecture. On the whole, therefore, I may say that while I was indebted to many speakers on the last occasion for their support of my views, I was even more indebted to those who endeavoured to oppose me. (Hear, hear.) And now, just a few words. I trust you will allow me to supply an omission in my lecture which was due to my desire to be as brief as possible. I said nothing to explain what may appear to many to be the extraordinary agitation as regards this Bill. It seemed at first sight, to many, a small matter, and, as regards political effect, as not to be compared at all with the Local Government Bill. How came it, then, that the latter was little noticed while the former has created such a *furor* and confusion? Well, it is simply owing to the cock-fighting element in human nature, which you may see very well exemplified in the House of Commons, whose members are commonly far more interested in a personal wrangle than in the consideration of the most important measures. (Hear, hear.) Now, the cock-fighting element was not let loose by the Local Government Bill, while it was by the Criminal Jurisdiction Bill, for the reason that there was nothing personal or racial in the former, while there was everything personal and racial in the latter. Lord Ripon brought the noses of the two peoples close together, and we all know the result. It was from knowing the great danger of thus bringing people, and especially rival races, into direct personal collision that I was all along so strongly against this Bill. I have not, you will observe, said one word against the Bill in the abstract; but I say it is contrary to wise and prudent public policy to start a personal question in India; that the Ilbert Bill is premature and utterly unsuited to the times; and that, for the benefit of both races it should be cast aside until it can be passed without arousing these painful conflicts of which we have lately heard and witnessed so much.

The Noble CHAIRMAN said that the following letter had been received from Professor THOROLD ROGERS, M.P.:—



"HOUSE OF COMMONS, June 22.

"DEAR SIR,—I regret that an engagement which takes me out of town will prevent my being present at your meeting in Exeter Hall on the 27th. I entirely sympathize with the wise and judicious action taken by Lord Ripon and embodied in Mr. Ilbert's Bill. If India is to be governed on the principles of the Queen's Proclamation, the natives to be gradually introduced to self-government and the political institutions of Western civilization, if the extension of education is to give content and hope instead of inciting them, those who receive it to the sense that they are debarred from that to which they conceive themselves entitled, it is essential that all residents in India, European or native, should be equally amenable to law. Foolish and pedantic persons may raise the cry *voc victis*, but in the long run injustice and wrongheadedness lead to the other cry *voc victoribus* ! more surely.

"Yours faithfully, JAS. E. THOROLD ROGERS."

"W. HAMILTON BURN, Esq."

Professor JAS. BRYCE, M.P., wrote as follows :—

"HOUSE OF COMMONS, June 26.

"SIR,—I have to thank you for the invitation to the discussion on Mr. Elliot's paper to take place to-morrow, which I should certainly have attended were I not obliged to be in Manchester then. Had it been in my power to be present, I should have been glad to express the conviction, forced on me by all I have heard and read upon the subject of Mr. Ilbert's Bill, that it was necessary for the Indian Government, after what had been done and promised by successive Viceroys, with the full approval of successive Home Governments, to make some such proposal as the Bill contains. That Bill seems to me, if I may venture to express an opinion, to be an integral and indispensable part of a scheme of policy whose main lines had been drawn some time ago. I am not competent to judge of its details: but the principle seems to me a sound one, and a far safer one on which to proceed than the doctrines which we now hear from the assailants of the measure.

"Believe me to be, faithfully yours, J. BRYCE."

Mr. H. G. KEENE, C.I.E., M.R.A.S. (Fellow of the Calcutta University), wrote:—"I need not, perhaps, remind your Lordship that I am prepared to admit some of the objections that have been urged against this Bill. I have already in a discussion held in the same Hall, ventured to state what, in my humble opinion, would be some

"of the evils to be complained of in the matter. I do not think that  
 "power to issue processes against Europeans, to serve them through  
 "native policemen, to conduct trials in which they were defendants,  
 "could be indiscriminately bestowed upon Asiatic judicial officers  
 "without great danger of collision and scandal. Possibly these evils  
 "have been exaggerated by the imaginations of those affected;  
 "possibly they would always be mitigated and minimized in practice.  
 "I have already endeavoured to show that due consideration has  
 "not been exhibited for the susceptibilities of our countrymen domiciled  
 "in British India. But the question now before the Association is,  
 "not whether the Bill was opportune, whether it was demanded by  
 "circumstances, whether it was introduced with due tact and dis-  
 "crimination; but whether it is 'calculated' (i.e., likely) to promote  
 "the welfare of the inhabitants of India. Now I submit that this is  
 "capable of becoming a mere Debating Society question which might  
 "be discussed for a twelvemonth without ending in a practical result.  
 "For who is to determine what is meant by 'welfare,' or how  
 "welfare is to be made dependent on details of jurisdiction. If,  
 "however, you will concede that welfare depends on peace, and we  
 "find peace is not being promoted by the Bill in its present form,  
 "then I think you have some data for saying that the Bill in its  
 "present form ought not to pass. But compromise is talked of.  
 "Among Anglo-Indian papers, *The Pioneer* has ever been distin-  
 "guished by loyalty to the Government; and *The Statesman*, by  
 "Advanced Liberalism. Well, these two papers have now arrived at  
 "a substantial agreement that compromise must be made. On the  
 "one hand the unrestricted subjecting of Englishmen to native  
 "courts (that is to say, depriving them of the right of trial by their  
 "country) has been all but universally condemned. See what has been  
 "said by one of its official supporters, Sir S. Bayley, the able repre-  
 "sentative of Bengal in the Viceroy's Council:—"I confess I failed to  
 "foresee either the extent or the depth of the feeling which the  
 "(proposed) measure has aroused. I think that the Viceroy had a  
 "clear right to expect . . . in regard to Bengal from myself a more  
 "decided warning than he received. I . . . deeply regret that I  
 "failed to gauge accurately the feelings of . . . my countrymen."  
 "(Speech of 9th March, 1883.) On the other hand, it is idle to  
 "expect that a government with any self-respect could go back from the  
 "principle of the Bill—a principle which is in entire accordance with  
 "the whole policy of the Government for the last half century, and  
 "the abandonment of which would render the Queen's Proclamation  
 "of November, 1858, an idle word. Her Majesty then said that it  
 "was 'her will that her subjects, of whatever race or creed, should

"be freely and impartially admitted to offices in her service, the duties of which they may be qualified duly to discharge.' The qualifications named are three—education, ability, and integrity. Now, I beg leave to ask those who are opposed to the *principle* of this Bill, If they are prepared to contend that no Hindu or Mussulman official can ever, under any circumstances, possess those qualifications? And if they are not, and Her Majesty's promise must be kept, I would implore them to desist from vain opposition and to unite to strengthen the hands of our rulers, confining their exertions to surrounding the principle with due safeguards. What the exact nature of those safeguards may be is matter for discussion. The two following stand out very clearly in my view:—1. No warrant ought to be signed against a European British subject, or a native exempt from ordinary appearance in Court, save by a District Magistrate or a Sessions Judge. 2. Any European British subject should have a right to claim a mixed jury whenever the nature of the charge is such as to involve the possibility of a sentence of imprisonment."

Dr. M. D. MAKUNA (of Bombay) wrote:—"As one who is not personally interested in the question, but at the same time who has long lived in the Mofussil in India, and see the monstrous injustice of the administration of law regarding the crimes perpetrated by the Europeans, not against the briefless Calcutta barristers, but against the poor, ignorant, and helpless natives of the peasant and artisan classes, I might be permitted to say a few words on the subject of the paper. I fully share the liberal views Mr. Elliot has expressed time after time, but I must say that he deals with this question in an illiberal spirit. In the first place he does not oppose the passing of the Bill for any principle involved therein. He merely states that a good deal of race animosity is excited through the discussion of this measure, and that it would deprive India of the English capital, as such race feelings are likely to render the British Empire in India insecure. I find that his views are not shared by the moiety of the Anglo-Indians that assembled in St. James's Hall the other day, and that portion of the English press that is not in horror of the passing of this Bill. We all know that John Bull, on the eve of the twentieth century, blessed with many excellent qualities, is not subject to sentimentalism, and would willingly abandon all his sentiments—even his hear, and become a Blue-Ribbonite—wherever he could see his investments fetch him sure and large returns. From all the information I gather on the subject, I find there have been ten arguments raised against the passing of the Bill, and in my opinion

"they have been sufficiently answered by the natives of India. Firstly,  
 "it is considered that the native magistrates are likely to be swayed by  
 "race prejudices in the decision of cases against the Europeans. It is  
 "to be regretted that such a race prejudice on the part of the Euro-  
 "peans—who look upon the natives as their inferiors—should have  
 "dictated such an objection to the Bill. Do not the Hindu, Parsee,  
 "and Mohamedan judges and magistrates dispose of thousands of cases  
 "every day all over India, in which the parties are often totally  
 "different in caste and religion from their own? Again, in Presidency  
 "towns Europeans of all grades are subjected to the jurisdiction of the  
 "native magistrates, who are not known to be influenced by the alleged  
 "race prejudices in giving their decisions. Secondly, it is contended  
 "that much perjury prevails in India. It is not confined to India, and  
 "wherever it exists it must apply to all cases, and not merely in those  
 "of Europeans only. When there are no grounds to show that the  
 "administration of justice is daily miscarried in the Courts of native  
 "magistrates, it is unreasonable to suppose that the discernment of  
 "perjury in the cases of the Europeans would not be just as probable.  
 "Thirdly, it is said that native magistrates are not sufficiently  
 "acquainted with the manners of Europeans or their customs. But this  
 "was surely not seriously put forward, for they are experienced and  
 "educated officers of the Government of many years' service, and some  
 "of them have resided in England for lengthened periods. Were there  
 "any plausibility in the argument, most of the European magistrates  
 "and judges would have to leave their jurisdiction over the natives of  
 "India, for 'the proper administration of justice lies in a sound  
 "knowledge of the law, a thorough acquaintance with the world,  
 "combined with ability to appreciate evidence.' Fourthly, it is  
 "pleaded that it would interfere with the cherished and privileged  
 "rights of the Briton, and that the present practices involve no  
 "injustice to the natives. But, as I have stated above, the Europeans  
 "in Presidency towns are tried by native magistrates, and in civil cases  
 "in the Mofussil; and the idea of the cherished right of the Britons  
 "is merely a remnant of those invidious distinctions and ignoble  
 "prejudices, as Lord Ripon styles them, on the part of a handful  
 "of Anglo-Indians, who are always averse to progress in India.  
 "As the matter now stands it is simply revolting to think that  
 "when the poor natives have been wronged by the Europeans in  
 "the Mofussil, they should be compelled to have recourse to  
 "justice before a European magistrate at a great distance, sacrificing  
 "their occupation for several days, and at great cost and incon-  
 "venience, thus defeating the objects of justice, as they would not

"have the same facilities to bring in evidence and witnesses to  
 "prove the charge. The poor Indians, earning under a shilling a day,  
 "are not likely to undergo such a hardship to gratify the sentiment of  
 "punishing the culprits, and, in many cases, I have known where, if  
 "they would, they could not. Fifthly, it is alleged that false and  
 "trumped-up charges are often brought against innocent parties. If  
 "this were true have we any grounds to suppose that the justice dealt  
 "out to the millions of India every day by the native magistrates is  
 "perverted? Sixthly, it is urged that the aid of experienced counsel  
 "cannot be had in the Mofussil. This is a flimsy pretext in these days  
 "of railways and telegrams, when counsel can be readily summoned or  
 "the High Court communicated with, who have ample powers to trans-  
 "fer cases on all occasions where such a step may be deemed desirable.  
 "Seventhly, it is said that the Viceroy of India, in introducing Mr.  
 "Ilbert's Bill in his Council, has been actuated by the anxiety of being  
 "popular among the natives. But such a charge, unworthy of English-  
 "men as it is, is totally unfounded, as can be judged from his action on  
 "the questions of the Import Duties and the Egyptian War Expenses,  
 "and in regard to the Licence Act, the Arms Bill, and the Vernacular  
 "Press Act. Eighthly, it is stated that the passing of this Bill would  
 "check the flow of European capital into India. But in Ceylon, where  
 "much capital is sunk in cinchona, coffee, and other plantations, no such  
 "distinction exists and no cry for the European has been raised there.  
 "Ninthly, it is argued that India was won by the sword and should be  
 "maintained by the sword, and that the declared policy of the Crown  
 "in the Queen's Proclamation, involving the principles of justice and  
 "equality for all classes of India, was a mere sentiment never meant to  
 "be practically fulfilled. But can India be maintained with profit and  
 "safety by the sword? Let England refuse her all share in her own  
 "government and deny the people the rights of self-government time  
 "after time—aspirations which they imbibe with the spread of educa-  
 "tion, the improved condition of the country, and increasing prosperity  
 "—and thus arouse the feelings of the natives against the Government  
 "by the violation of rights and privileges, then too late it will be dis-  
 "covered that the policy of expediency, not justice, has told heavily on  
 "the empire of the English in India. A great lesson to be learnt from  
 "the history of the Roman Empire is that all conquering nations, in  
 "order to render their government in the conquered countries stable  
 "and permanent, must divest themselves of their peculiar privileges by  
 "sharing them with the conquered people. Tenthly, it is contended  
 "that there is no public opinion to operate in the Mofussil to control  
 "the evil propensities of magistrates. But surely they are responsible in

"every way to higher authorities, who watch their actions with an eagle's eye. Were the press and public opinion deemed a necessity to make them moral beings in the case of Europeans, it speaks very little for the administration of justice to natives as at present conducted. A large number of the artisan class of Europeans is now being added to the districts of India with the development of industries and the growth of railways, and the poor and unfortunate natives, in their collisions with them, are placed at a great disadvantage in seeking justice at the hands of European magistrates at considerable distances, thus defeating the law and compelling them to put up with unfair wages. Under these circumstances, my lord, I hope, with the millions of India who support this measure for the removal of their widely felt grievances, and not with the briefless barristers of Calcutta, that they are as much under moral and social obligations to their neighbours in India as if they were at home."

The Noble CHAIRMAN said he had already said how much he thought the Association were indebted to Mr. Elliot for the very moderate and dispassionate way in which he had treated the question, and it was much to be desired that the discussion would be continued in the same tone. At the same time he must say that Mr. Elliot's paper does not advance other arguments against the Bill than that certain persons dislike it very much and are alarmed at what they imagine may be its results. But it was believed that those persons were really a minority even in India, and it was tolerably certain that they were alarmed without necessity. He (Lord Stanley) had met people who had proclaimed themselves vehement opponents of the Bill whom he soon discovered were unacquainted with the real scope and purport of the measure. Mr. Elliot's paper says that never since or before the Mutiny has such a bitter feeling been aroused. The writer surely forgets the much greater excitement which prevailed when settlers in Macaulay's time were first brought under the Company's judges. The paper goes on to attribute the recent excitement against Mr. Justice Norris to the irritation caused by the Criminal Procedure Bill. He thought it was quite certain that Mr. Justice Norris should be most distinctly exonerated in respect to the dispute about the idol being brought into Court. (Hear, hear.) It is very clear he endeavoured to avoid giving any offence and the blame, if any, rested with the Hindu officer of the Court, who advised that it might be brought in. (Hear, hear.) But Mr. Justice Norris—unless there is any other judge of the same name—had already given offence by

the line he took in requiring people to take off their shoes on coming into his Court,—a course which formed the subject of a discussion in the House of Commons, and in which he (Lord Stanley) thought Mr. Justice Norris was mistaken. This incident is sufficient to account for Mr. Justice Norris's proceedings being looked upon with undue suspicion and being misinterpreted. As to what has caused the chief excitement on this Bill, one speaker at a meeting in Calcutta raised the alarm that the natives of India, having a spite against a European, would drag his wife before a native magistrate on a false charge out of revenge. There is no ground for such a fear, and such a proceeding would be contrary to all Asiatic habits of mind, and to the feelings and traditions not only of the Hindus and Mussulmans, but of the Chinese and other nations of Asia. He would give an instance from history: About the year 1200 an Arab army came before Toledo; the Queen was on the walls and said that the King was away; upon which the Arahhs saluted her and departed. Even in our own country such had not always been the practice, for about two hundred years ago the Lord of Argyle came before Airlie Castle and burned it, though he was told by the lady of the castle that her good man was away. A good deal of allowance should be made for the speakers at that Calcutta meeting—the climate was hot and the political atmosphere heated. This was an explanation of what had occurred and of a speech which had been severely commented on by the Indian papers, and by some of his correspondents, who considered that speech as one of the principal causes of the excitement at Calcutta. He hoped that speaker who was now here would follow him, and in asking for a hearing for Mr. Branson presently, he would remind the Hindn gentlemen present that they were under obligations to Mr. Branson's brother, who was the legal adviser of the unfortunate Hindn zemindar of Palconda, who had been imprisoned since childhood for thirty-seven years, and whose case he hoped Mr. Branson would bring safely through the Privy Council. (Hear, hear.) All he would ask of Mr. Branson was that he would not repeat his Calcutta speech. (Hear, hear, and laughter.) He (Lord Stanley) might revert to one alarming calculation made by Mr. Elliot in his paper with reference to the increase of population within forty years in India, as showing the necessity of not scaring capital from India. He (Lord Stanley) desired to say that he was inclined to think that when the Portuguese first came to India the population was greater than it is now, and the means of subsistence cheaper and more abundant. (Hear, hear.) Some of the Indian newspapers supported the Bill on the ground of the frequent immunity of Europeans in cases of ill-treatment

of natives. The last case was one mentioned in *The Times of India* of May 18th last, which reported that on the 9th of that month Mr. Joseph, permanent way inspector, was sentenced, for killing a man by a blow or a kick, under sec. 323 of the Indian Penal Code, to two months' simple imprisonment and a fine of 200 rupees; or in default two months' further imprisonment; the fine if recovered to be paid to the widow of the deceased. Mark that the judicial officer who passed the sentence, said: "I am unable to ignore that various complaints have been made against the accused regarding assaults by him on natives of the country." This judicial officer appeared by the report to have gone into this case very conscientiously, and if he had not given a severer sentence it must have been that he was prevented from doing so either by the precedents or by the Code. But it seemed likely that until a severe sentence was inflicted, people would not understand that a blow to a Hindu was likely to be as fatal as to a woman. He might mention another remarkable case which had been told him by a judge. There was an official at the head of a district, named Mr. Devereux. He learned that a *sais*, or groom, had been in prison for five years untried on an accusation of having robbed his master. He was not under Mr. Devereux's jurisdiction, but under that of the judicial officer of the neighbouring cantonments. Mr. Devereux wrote to him to say "try, or release, that man, or I must report the matter to head-quarters." It was not until the second letter that the *sais* was put upon his trial, and released, as there was no evidence against him. After this Mr. Devereux came to London and was in his lodgings, when a friend of his—a judge—came to him and said he was "Very sorry for what had happened to him." "What was that?" asked Mr. Devereux. "Why you have been dismissed from your post," was the reply. Mr. Devereux's astonishment was great. He and his friend went off to the India Office, and it was discovered that the matter had been so misrepresented to Lord Canning, the Viceroy, that it was supposed Mr. Devereux had been the cause of the detention of the *sais* in prison untried, instead of (as was the fact) having been the means of his release. Lord Canning had passed a censure upon Mr. Devereux, and the Secretary of State, Sir Charles Wood, on reviewing the case, very properly wrote out that censure was not sufficient and that Mr. D. ought to be removed. On the matter being explained, Sir Charles Wood wrote out to Lord Canning to have Mr. Devereux reinstated; but it was too late. Lord Canning replied that he had put another man into his place. "You put him on; you



"may find another place for him." The result was that Mr. Devereux never got reinstated, and sunk into a very subordinate employment in the Salt Revenue, and as he (Lord Stanley) heard, died of a broken heart. This case showed that an Englishman had been the victim of misrepresentations by his own countrymen, and that either a Court of Appeal, or greater Parliamentary supervision was needed in India to prevent abuses. It would be remembered that Lord Canning was a man of great firmness, and he had resisted much popular clamour and obloquy at the time of the mutiny; but as the French say "a man has the defects of his good qualities," and so it might easily be that Lord Canning might be impatient of the observations of his colleagues. The following extract from the *Indu Prakash* had just been put into his hands:—"The European ladies, who have formed themselves into a Committee for the purpose of sending a prayer to Her Majesty against the Bill, will be pleased to make a note of the following letter, which Her Majesty sent in 1857 to Lord Canning, then Viceroy of India; 'Lord Canning will easily believe how entirely the Queen shares his feelings of sorrow and indignation at the un-Christian spirit shown, alas! to a great extent, here by the public towards India in general and towards Sepoys without discrimination. It is, however, not likely to last. . . . To the nation at large, to the peaceful inhabitants, to the many kind and friendly natives, who have assisted us, sheltered the fugitives, and been faithful and true, there should be shown the greatest kindness. *They should know that there is no hatred to a brown skin—none; but the greatest wish on the Queen's part to see them happy, contented and flourishing.*' (The italics are ours.) (See Martin's 'Life of Prince Consort,' Vol. IV, pp. 146, 147.) We may also call attention to a letter addressed by Her Majesty to Lord Lawrence in 1864 in the course of which she said: 'Sir John will, who trusts, everywhere express the deep interest the Queen takes in the welfare of Her Indian subjects and how deeply she feels this interest, as her beloved great husband took so very deep interest in India and was constantly occupied with everything which could lead to the development of the resources of that great Empire and to the prosperity and kind and just treatment of the natives. The Queen feels this a sacred legacy.' (See 'Life of Lord Lawrence,' by Mr. B. Smith, Vol. II, p. 429.) To the English ladies in India, who have joined the present agitation against the natives, we say—read the above and reflect. Here is a Christian Sovereign, possessed of the virtues, which ought to be an example to both men and women,

"preaching what in India is so apt to be forgotten! What will Her Majesty think when she sees that some of her English sisters in India want her to undo what she did, and unwrite what she wrote twenty-five years ago! If Her Majesty could think so kindly of natives then, and say that 'there is no hatred to the brown skin—none,' what will she say now with the impression deep in her mind of the very affectionate and loyal welcome accorded to two of her sons when they visited India by the teeming millions of this country, who are proud to own her sway? With this letter of Her Majesty before him, who will not pity the efforts of those, that think of getting Her Majesty to sympathize with their 'un-Christian 'spirit'?"

Mr. JAMES H. A. BRANSON, who was received with some cheers, said: My Lord, Ladies, and Gentlemen,—I rise in answer to your lordship's call, to support, as far as in me lies, the remarkably well-reasoned, forcible, and temperate arguments of Mr. Elliot, contained in the paper he read to you the other day, and portions of which he has still further just explained, in consequence of remarks that fell from some of the speakers in the course of the discussion on that day. Nobody who has had any experience of India can deny the truth of Mr. Elliot's arguments when he sought to enforce the proposition he laid down in that paper—that the attempt to introduce this Bill was not calculated to promote the general welfare of the people of India. (Cheers.) I speak from experience, but I must explain that though experience, in any other country, is supposed to give a man some ability to judge of the feelings of the people of that country, some power to advise what is good for that country, and that this experience in any other country may be gained by residence in that country, yet, talking of anomalies, there is this strange anomaly in connection with India, that by residence in that great country one is supposed to gain, not experience, but only prejudice. (Considerable interruption, cheers, and hisses.) Well, gentlemen, if I had to choose between the two classes, the ignorant and the prejudiced, I think I should be inclined to seek the opinion of the prejudiced class, because from them I might learn something upon which to exercise my judgment, but I could not expect to learn anything from the ignorant. Gentlemen, I shall not endeavour to follow what his lordship the chairman has been pleased to characterize as a "discursive dipping into many matters." If I were to attempt to do so, the ten minutes allotted me could not suffice for a tithe or a twentieth of what

I should have to say, and anyone who has thought over this subject must know that for one to attempt to follow these discursive remarks or to exhaust the debate in ten or even twenty times ten minutes would be out of the question. (Hear, hear.) But reference has been made to what I said on another platform than this, and in less temperate regions than this. (Laughter.) I am speaking now among men who have had time, if they have taken the trouble, to read what I said on that occasion, and speaking, perhaps, before a portion of those, before some who heard what I then said, I say there is no portion of that speech which, upon further consideration, I should feel inclined to retract or withdraw, except the two adjectives, which were considered not quite in accordance with Parliamentary language, which were used in the heat of debate, and which, immediately my attention was drawn to them, I did what I consider every gentleman ought under similar circumstances to do—unhesitatingly withdrew them, and apologized for their use. (Hear, hear.) I speak in the presence of many men who are interested in or connected with India, but I say there is no one man in this room, unless I make an exception in the case of my friend Mr. Mayne here, near me, who has had anything like the experience I have had of the administration of criminal justice in India. There are many gentlemen in this room from those parts of India in which I have laboured for many years. I speak of Bengal and Bohar, and I claim to have had some experience of their people, to know something of their ways and natures, seeing that there is hardly one family of importance in either of the great provinces for whom I have not at some time acted, advising them in the matter of their family troubles, helping them out of difficulties, or advising them how to avoid them. With this knowledge of the people, I felt strongly that the introduction of this Bill was fraught with danger as well to my fellow European British subjects, as to the people of the country themselves, among whom I had passed many happy years, and for many of whom I had great regard and esteem—and feeling strongly, I spoke strongly—but I still say that I exaggerated nothing, that I said nothing which was not strictly true. I was in India among my Indian friends for many weeks after that speech. I saw many of my native friends, and spoke with them about my speech. I asked them to point out to me any passage in it which was incorrect, or to meet and refute the arguments I based upon the facts I stated, and I can assure you that I did not hear one statement of fact traversed, nor one argument met and refuted. Abuse I have seen, but no correction. One passage alone was objected to, and that

was due to an entire misrepresentation of what I said. I had said, in pointing to the privileges enjoyed by the natives, that their ladies—numbers of the natives that thronged the courts—were privileged from appearing before their own people, while our ladies had no such privilege, but were compelled to appear openly in court and testify before a people not their own. This was misrepresented by men who ought to have known better, and was stated to convey a foul libel that I never dreamed of against the women of India. God knows who did this, but when the misrepresentation was brought to my knowledge I took the report of my speech to many of my native friends who had heard the misrepresentation, but had not seen the words, and they admitted that I was innocent in this matter as their knowledge of me had inclined them to believe. Upon this misrepresentation has been based the attack upon me, which has put me in a wrong light before the English public here, most of whom have not read what I said, but have been led to believe that I made an unwarranted attack upon people who had given no cause of offence, and I am grateful to his lordship for giving me this opportunity of making this explanation. Another matter has been referred to by his lordship affecting an absent official, a friend of mine, a gentleman who has honestly endeavoured to do his duty in a position of trust and difficulty, and I crave leave as one who can speak with some knowledge on this matter, as one who was there when the order referred to was passed, to say a word or two in explanation. I refer to Mr. Justice Norris's order about the shoes. You cannot understand the noise, interruption, and disturbance which is caused in the Indian Courts by people with heavy loose slippers on their feet, dragging them after them, and distracting the Court. (Hisses.) Mr. Justice Norris's order was that men who came in the Court with slippers were to leave them outside. That was the order which—

The CHAIRMAN: May I ask what kind of a floor the Court had? Was there any stone?

Mr. BRANSON: A portion is stone; a portion is wood; in the centre of the Court is a large dock of wood which has necessarily to be passed by all persons coming in and out, and the distraction caused was necessarily very great. These native gentlemen here know that their own friends—the parties and the native solicitors—came in numbers, and Mr. Justice Norris never for one moment thought he was making an order against those gentlemen. It was only done to preserve order in his Court. This has been very much misrepresented in England and the misrepresentation has even misled our chairman.

Mr. HYNDMAN : Mr. Chairman, is the speaker in order? (Loud cries of Order, order.)

Mr. BRANSON : I am saying a few words in defence of a man who has been misrepresented in this country. He has incurred this misrepresentation in two ways. In the first place, as a free spoken man he thought that the cases of untruthfulness which came before him ought to be reprobated, and on one occasion when he was presiding at a prize distribution at a school, speaking as an Englishman, and pointing out to the youth of the country, as any one else would have done, what were their faults, and what were their good qualities, he told them he should not be right if he did not tell them that untruthfulness was an evil, striking at the root of the well-being of the country.

The CHAIRMAN : Mr. Justice Norris is entirely to be acquitted. (Cheers.)

Mr. BRANSON : Quite so, my lord, and I will not therefore follow that matter further. (Loud cries of Time, time.) To return then to the question more immediately before this meeting. I should have hoped that I should have been called upon at a later stage of the proceedings, so that I might have heard some argument in favour of this Bill, but it has unfortunately happened that I have heard no such arguments. There was, however, one argument which the Government put forward—the argument of “administrative inconvenience.” My lord, ladies, and gentlemen, this argument was one which was no sooner examined than, like the contents of a volcano buried chamber, it crumbled away. (No, no.) It met with an unqualified contradiction, and the contradiction, as we know from the public press, was in accordance with the universal consensus of opinion of the officials. One has only to look at the later inspired writings on this subject to see that this argument was worthless. Looking at the speech of Mr. Ilbert, what do we find in it? Supposing there had been constant charges against Europeans all through the country, to try which the *venue* had to be changed, or a magistrate brought from elsewhere, there might have been something in it, though even that matter might have been easily dealt with. But Mr. Ilbert himself, in proposing the Bill, said there were two things to be borne prominently in mind regarding this measure, and regarding the object with which it was being introduced. One was, that the charges against Europeans are exceptionally rare, and then when they are made, such charges are exceptionally difficult. Now, it is easy for any one who has had any experience, and I shall be supported

in this, to understand what he meant by being exceptionally difficult. (Hisses and cheers.) Mr. Ilbert therefore made no point of the administrative inconvenience argument, and if it ever had any life it was slain entirely by Mr. Rivers Thompson, whose ability to speak on this subject as on any subject connected with the administration of Bengal no one can deny. That there was some difficulty formerly when no European judge or magistrate in the Mofussil could try a European, I do not care to deny, and for this reason the Act of 1871 passed without a single protest on the part of the English public, who are after all a just-minded public. Now, I shall be borne out in what I am going to say by anyone who has had Indian experience—and I am quite sure my native friends will support me here, or, at any rate, those who practised in the Courts in India before they came home. There are in India, whether against Europeans or Hindus I care not, constantly false charges—an extraordinary number of false charges—brought forward. Now, my lord, this subject is such a vast one, that I should not venture to touch it, if I did not feel that I have had as large an experience and as large a knowledge of India as any one in this room. (Oh, oh!) I have that knowledge from experience—(cheers, and cries of Time)—but it is difficult to point out all those evils without going into details. I feel that I cannot now do that, because the time is too short for me to do it effectively. (Time, time.) I am glad that your lordship gave me; by referring to my speech at Calcutta, an opportunity of pointing out this—that I have looked in vain to find any refutation of any thing that I said in that speech. It was said by the Rajah of Rampore, the other day, that this measure would not affect capitalists, because, he said, capitalists would live in Calcutta. You all, no doubt, see at once what is the answer to that. It is not that the capitalist is afraid for himself. He is afraid for his capital. If you have Europeans living in the outlying districts, superintending great industries for the proper carrying on of which their presence is absolutely necessary—if these men are liable to be brought up on false charges before judges who do not understand them, who cannot judge of their feelings, their motives, or their actions—if thus the industry may be deprived of their supervision, you must increase the risk of the capitalist; this must at least increase the cost of money, and this cannot be calculated to increase the flow of capital in India. (Time.)

Major EVANS BELL said: My Lord, Ladies, and Gentlemen,—I believe the unreasonable agitation against the Criminal Procedure Amendment Act is subsiding rapidly, and I am led to that belief by

observing the more subdued tone in which the controversy has recently been carried on. The speeches of the exclusive meeting in St. James's Hall on Monday last, where discussion was not allowed, were mostly pitched in a minor key, and I am sure we may all congratulate the learned gentleman who has just spoken (Mr. Branson) on his chastened style, as compared with even the expurgated edition of his speech at the Town Hall of Calcutta. He has, perhaps, been odified and educated by Mr. Elliot's paper now under our consideration. For I am sure, whatever difference of opinion there may be as to the subject brought before us in Mr. Elliot's paper, there can be but one opinion as to the admirable spirit and temper in which he has treated a question that has unfortunately given rise to so many heart-burnings and to so much inflammatory language. He did not say one word, because I feel certain he had not one thought, in concord with that unprovoked outburst of abuse against the moral conduct and capacity of the Indian people, which, emanating from the very mixed European community of Bengal, has unfortunately given a bad tone and tendency to the discussion. But while I hail the genial spirit of Mr. Elliot's paper, I cannot see in it any power of grasping the subject. Our friend seems to have no grip on it at all, one way or the other. He really says nothing of the measure, on its merits. He suggests only Lord Melbourne's favourite counsel: "Couldn't you 'leave it alone?'"—a very wise counsel sometimes, but not always, and not at this crisis. We must not be frightened with false fires. There is nothing here to burn or to explode. It is not really a case of dynamite, as has been said in that exaggerated style that has misled so many people here—it is a mere nettle in the path with which we have to deal. And the way to deal with a nettle, as we know, is to grasp it firmly or to stamp on it. If the Government does not put its foot down and resolutely pass the Criminal Procedure Amendment Act it will, in my opinion, have disavowed and abdicated its true functions. One great duty of the statesmen who sit at the centre and seat of this vast and composite Empire, is to moderate the local jealousies and antipathies of races. Imperial impartiality alone can reconcile those discordant elements. They will not settle down, they never have settled down, after being roused, by any process of local agreement. No concession to the demands of a so-called inferior or subject race has ever been made in India or in any colony, except by Imperial ordinance. By a great preponderance of the official and non-official community of English in India, every successive enfranchisement of the Indians, every special act of discriminating grace or equity, even of clemency, has always been imagined to be injurious to

some English interest or privilege, and has been denounced and execrated accordingly. Lord Ripon is only now enduring the same sort of local storm that assailed Lord William Bentinck, Sir Charles Metcalfe, and Lord Canning—and, let it be remembered, when he was right for once in his life, Lord Lytton. The storm will blow over, if the man at the helm does not lose his courage or swerve from the course that his own good sense has laid down. The Government has declared the proposed course to be, as a matter of principle, and as a matter of practice, imperatively required. There is not really any innovation or any change of policy at all. It is the natural development of a policy long ago decided, the honest fulfilment of promises long ago given to India. If the Government allow themselves to be turned out of the straight path by arrogant clamour, I don't see how they can ever get on the right way again. If they shrink from grasping the political nettle now, they will not be able to deal with political dynamite should it ever be tossed about in India. I trust with much confidence that the Viceregal and the Imperial Governments will remain of one mind on this matter, and will continue steadfastly in that course which is calculated to let the Indian people understand that when a principle is announced, either in Law, or in a Proclamation, such as that of 1858, by the Queen Empress, the Queen Empress means what she says. I hope that the Government will not be deterred from progressively carrying out the policy proclaimed fifty years ago, and re-asserted in the Royal Proclamation of 1858, by the offensive, prejudiced and contemptuous opposition of a class which, however deserving of respect and consideration, is numerically, politically and socially, insignificant and unimportant in India. There are 250 millions of people in India,—there are some forty or forty-five thousand non-official Europeans. And these Europeans—the best of them, let it be remembered—are not, as is often incorrectly stated, “settlers” in any sense—not, properly speaking, inhabitants as Mr. Elliot calls them. They are visitors to India, who are in the country with the landable and legitimate object of making money as quickly as possible, and of taking it away with them out of the country to their own homes in Europe. Landable and legitimate as their objects are, and worthy of ordinary protection, I say that the temporary and personal interests, or imagined interests, of these fluctuating visitors, must not be allowed to over-ride the permanent interests of the people, or the great principles of Imperial Government. But in fact there are no real, solid interests involved on the side opposed to the Criminal Procedure Amendment Act. European capital and European industry are not endangered and do not feel themselves to



he dangled. I do not believe in that timidity of the capitalist against which Mr. Elliot warns us. There is more of humptiousness and what I call colour-blindness than of timidity in this revolt against the criminal jurisdiction of native judges and magistrates. For many years native judges have had full jurisdiction over Europeans in civil causes. European property and European industrial enterprises have not diminished or suffered in the least. Yet there was the same ignorant and prejudiced outcry against native jurisdiction over Englishmen when civil powers in such cases were conferred on natives. The alarm professed upon that recognition of the efficiency and competence of native civil judges very soon died away, and we hear nothing of it now. We shall hear just as little of the fear and indignation now professed, after the Criminal Procedure Amendment Act has been three months in operation. Mr. Elliot is of a different opinion. He ventures on a distinct prophecy to the contrary. He says that "this is no temporary ebullition, such as was aroused by "other Acts which displeased the Europeans in former times, but "there is a deep-seated and permanent feeling of alarm and resentment." Now how does he know that this feeling is permanent? Surely it is rather premature to make such an assumption. Never prophesy before you know. For my part, believing all these demonstrations of fear and fury to have no foundation in history or experience, but to be shallow and short-sighted, I also believe them to be, as on former occasions, ephemeral. Let me ask, when this Act has passed, as I trust it will, without compromise or serious modification, what will there be to sustain those factions and factitious feelings of alarm and resentment? The visible results in actual criminal proceedings will, of course, be very scanty; and I do not think any sensible person here expects any of those romantic and terrible consequences in the way of conspiracies against the poor, helpless *sahib-log* and *mem-sahibs* which were conjured up at Calcutta to make a very poor case appear strong. On the other hand, the silent results in political harmony and stability will, in my opinion, be of very great importance. I naturally, as an Englishman, prefer my own countrymen to Indians, or Frenchmen, or foreigners of any race, and have more regard for their interests, even for their prejudices and their pride, than for those of Indians or people of any other nationality. But looking at all these questions as questions of Imperial statesmanship, I see that we must school ourselves to regard national self-complacency and national selfishness as dangerous weaknesses to be overcome, and that we must not regard Indians, any more than French Canadians or French creoles in the Mauritius, as

foreigners, but as fellow-citizens of the Empire,—fellow citizens, if you will, who, for a time, are excluded from certain franchises, immunities, and privileges which we enjoy, but for whom we should perpetually and persistently try to open the way to every one of those rights and privileges. And this, you will see, is a very different aim and end from that vision of the separate independence of India which Mr. Maclean, at our last meeting, imputed to me and others. What we contend is that until the inhabitants of a province or a territory have been placed on the same legal footing in every respect as the colonists, denizens, or visitors from the central kingdom, that territory, dominion or continent, cannot be considered as satisfactorily or safely attached to the Empire. This Criminal Procedure Amendment Bill is a small step in the right direction, and therefore I hail it as of good omen and wish it speedy success.

Mr. J. R. BULLEN SMITH, c.s.i. (late member of the Legislative Council of India): My Lord, Ladies, and Gentlemen,—I know there are many gentlemen here and especially native gentlemen members of the Association who desire to speak, and therefore I will endeavour to be as brief as possible. I listened to Mr. Elliot's paper, in common with all, with the greatest pleasure and I entirely concur in what he has said. I think it is a subject which it is well should come before this Association, the proposition being put as he put it, but I do certainly very much regret the tone that this discussion took on the last occasion. (Hear, hear.) It seems to me we are drifting, and perhaps not unnaturally, far too much into the controversial and personal questions arising out of Mr. Ilbert's proposals, and comparatively little allusion was made to the question which was put before us by Mr. Elliot, which was, "Is the attempt to pass the Criminal Jurisdiction Bill calculated to promote the public interests and welfare of the inhabitants of India generally?" That is Mr. Elliot's proposition. We are not asked to say whether it is a desirable thing or not that Europeans should continue to enjoy privileges which they have long held. We are not asked to give any deliverance upon the bare question, whether the natives of India who have entered the covenanted Civil Service should be admitted to privileges in all respects equal with those of other members of that covenanted Civil Service. But what we are asked to consider is, as I understand the proposition, and as I think the readers of Mr. Elliot's paper will understand, is this: Do we or do we not consider, with reference to these matters, as we know them now—with reference to the facts

that are at present within our knowledge—do we consider that the attempt to press this Bill now is or is not calculated to promote the material well-being of the people of India? That, as I understand it, is the proposition put by Mr. Elliot, and he has given a distinct answer in the negative, with which answer I entirely concur. (Hear, hear.) He has shown that much evil has already arisen, and he says that in his estimation much more evil will result. I hope those native gentlemen who hold a contrary opinion will come forward and show us some reasons in support of the views they take. Now, my lord, I have read almost all that has been written upon the subject of this Bill, and in the course of all my reading I have been unable to find any single valid argument constituting the why and wherefore for this Bill being brought forward at the present time. I do hope that our native friends will leave controversial and personal matters alone, and that in speaking they will address themselves to the question—can they, as natives of India, honestly and conscientiously say that in their opinion to press this Bill now is desirable in the interests of the Indian community at large? (Hear, hear.) My chief object in rising was to mention one subject which, I think, has never yet been touched upon. Mr. Elliot has spoken of certain evils, in the existence of which I certainly believe; but he has not pointed out what there is to be said as to the disabling clause of the Bill. Perhaps it will be a new thing to most of the native gentlemen here if I tell them that this Bill, while proposing to confer certain power, also proposes largely to take away powers by which the services of a large class of gentlemen will be lost altogether to the State. I hold in my hand a paper which is written by an officer of the Civil Service, of very large experience in India, to a gentleman who has had twenty years' service out there, the bulk of which has been in the Tea Districts, and latterly in the Lower Provinces, and who is in favour of this measure on its general merits. This is a confidential note in reply to a reference made to this officer by the Government, and I have his full authority for now reading it to you. He expresses the great regret he felt at the compromise of 1872, and he goes on to say: "But I can testify that no measure of the Government passed in my time has been more beneficent in its effect than the extension of the jurisdiction of the native courts over European British subjects, and the admirable results have been in a great measure due to its having been accepted loyally by the class affected instead of being forced upon them. As regards the concession then made, I hold, of course, it cannot preclude the present Government from removing the

"existing disqualifications; but I think it may be the duty of the Government to do all in their power to obtain the consent of the European community to any changes in that direction before ultimately proposing them, and that great care should be taken in making such proposed changes, that no doubt is left as to their scope and ultimate effect, and so as to avoid unnecessarily wounding the susceptibilities of the European community more than is necessary." He then goes on to show that in Bengal, Behar, and Orissa, a very large number—I think 133—of gentlemen, who now hold the office of justices of the peace, will be disqualified by this Bill—that is to say, those gentlemen will not actually be turned out of office, but as their appointments lapse by their leaving the country, death, or otherwise, the Government, under this Bill, will have no power to fill them up. The present Bill imposes for holding of the office of justice of the peace what may be called an official qualification and no other, and the officer from whom I quote shows, that as these commissions fall vacant they must be filled up largely by two classes—by the members of the Statutory Civil Service, of which we have as yet no experience, or they must be filled up from the extra assistant-commissioners, a class which, he does not hesitate to say, are generally below the standard of deputy-magistrates. This Bill deprives the Government of power to appoint to the Commission of the Peace non-officials, who do not hold this official qualification, and it provides for the appointment of those who have not yet shown themselves qualified for it. I will read to you one more extract from this note, and I ask your particular attention to it, because, as I said before, it is a note emanating from the pen of an officer of very large experience. Mr. Bullen Smith then read the extract, which was to the effect that while he hoped it would be possible before long to remove the disqualifications created in 1872, he earnestly deprecated pressing the measure under notice at the present time.

Major-General H. HOPKINSON, c.s.i. (late Chief Commissioner of Assam): My Lords, Ladies, and Gentlemen, I did not come here to-day to speak, but I understood you to put a question which I may possibly be able in part to answer, and there are also one or two questions which I should like to ask in return myself. I understood you to ask what other industries there are in India besides the railway interest.

The Noble CHAIRMAN: I did not ask what other industries. I knew very well there were plenty of others. I said, if you except the railway and Government industries, what capital is there now in India?

Major-General H. HOPKINSON: Very well, my lord. Now, I will give you some figures with reference to the tea industry in Assam and Cachar. I only made these notes since I came here, and consequently they may fall short of perfect accuracy. I should think that the exports of tea from Assam and Cachar would be something like 50 millions of lbs. I should say that the acreage for these 50 millions of lbs., taking the gardens in all stages of maturity, cannot be very much less than 160 or 170,000 acres. Now as to the labourers employed. We usually allow from one to one and a half labourer per acre. These labourers are mainly recruited from the famine districts of India, and we, therefore, save them from starvation, and give them the means of earning a very handsome maintenance. (Oh, oh!) Now, take this one fact alone: you get 160,000 labourers supported by this one industry. By our tea cultivation in Assam and Cachar, I should estimate that we spend every year on this industry, in the cultivation, in the manufacture, the freight, and all the charges up to the sale in Birmingham, are not much less than from two and a half to three million of pounds; and I should think that the capital in Assam and Cachar now invested in tea gardens cannot be very much under twelve millions, roughly speaking.

The Noble CHAIRMAN: Is that British capital?

Major-General H. HOPKINSON: Every pound of that is British capital. Now, my lord, that is all the information I wish to give. But now I should like to ask some questions of some of the Bengali gentlemen here present. I want, first of all to know whether they are not aware certain Bengal covenanted civilians have been appointed from time to time to Assam and Cachar, and if this Bill becomes law whether it may not be expected that a greater number of them will be appointed to those provinces? Then I want to ask whether they are acquainted with the history of the Mutiny of 1857—(Oh, oh!)—that is to say, whether they are acquainted with that history as it was developed in Bengal? and, in that case, I ask whether they will deny that had the Deputy-commissioners of Seebasagar and Luckimpore been at that time Bengali covenanted civilians, the flame of rebellion would have burst out with the utmost fury in Assam; and with these consequences, that the tea industry there would have been entirely destroyed, all the planters massacred, the gardens wasted, the immigrant labourers driven forth to starvation, and, for a time, the province of Assam entirely lost to us. (Cheers.) My lord! what has happened once may happen again, and even in the quietest of times the maintenance of the Queen's peace in most of the districts

of Assam is attended with difficulties, not to say dangers, which merely intellectual ability should not be called on to affront, though it were of the highest order that Bengal can offer us.

Professor W. A. HUNTER: My Lord, Ladies, and Gentlemen,-- I have only one remark to make with reference to the address made by Mr. Elliot. The paper that he read was a very temperate production, and in that respect was most favourably distinguished from some speeches which have been made in connection with this question; but when I have said that, I believe that I have said everything that can be said in its favour. It seems to me that the paper ingenuously raised an entirely false issue—an issue upon which no evidence exists, and is therefore incapable of any discussion. The real issue, and the only issue in which the British people can be interested, is whether the Ilbert Bill is a just and necessary measure. If that Bill is a just and necessary measure, it must be good for the whole of the people of India. If it is not a just and necessary measure, then undoubtedly it would be injurious both to the English and to the natives. The real question, therefore, is simply a question of the justice and the expediency of the Bill. What effect such a Bill, if passed, would have upon imaginary capitalists who are going to make investments in India is a question upon which Mr. Elliot, nor any one else, has any useful information. I listened with great attention to the very eloquent gentleman, who comes from the bar at Calcutta, in order to learn whether there was any principle in this opposition to the Bill. I have also read the opinions that have been given by the dissenting magistrates and authorities in various parts of India, and I find that the objections to the Ilbert Bill can be classified under two heads. The first is, that it is the birthright of an Englishman in India that he should be tried by an Englishman, or, at all events, by a European subject. (Hear, hear.) That is the first principle which I find they stand by; and the next principle they stand by is this: that it is not safe to entrust the administration of criminal justice in the manner proposed by this Bill to the class of men whom it is proposed to give jurisdiction to. Now if either or both of those propositions can be substantiated, then the objections to the Bill will be reasonable; but if there is no foundation for those objections, then I am bound to say that notwithstanding the very strong language in which the Europeans in Calcutta indulge, that their objection is altogether groundless, and not worthy of our attention. Now, my lord, with regard to the question of birthright, what is the fact? Why, the fact is this, that up to the present time no Government in India has ever for one

moment recognized any such idea as the idea that an Englishman has an inborn right to be tried by an Englishman. Not only so; but what is an extraordinary thing to my mind, and a thing which shows the utterly hollow and unreal character of the agitation that has been conducted in opposition to this Bill is this: the meetings that have been held have been held in towns which at the present moment are under native jurisdiction, where every Englishman is under the criminal jurisdiction, or may be under the criminal jurisdiction, of native magistrates. There have been no meetings and no disturbances in those parts of the country to which it is proposed to apply that which already exists in the presidency towns. Now, when I mention one single fact, I think it will satisfy any English audience that the whole of this agitation is based upon an entire fallacy. For years in the presidency towns it has been competent for the Government to appoint, and they have appointed native gentlemen to exercise criminal magisterial powers over Europeans—more extensive powers than those that are proposed in the present Bill. That simple fact alone disposes of this birthright argument; for what is this birthright? When you are in the Mofussil you have got all your birthright, but once cross the boundaries of the city of Calcutta and your birthright is gone. It is indeed surprising to me to find that any gentleman could upon such an utterly absurd argument as that base their opposition to this Bill. Now there is another point in connection with it. Has there ever been any complaint in the presidency towns with regard to the manner in which native gentlemen have administered criminal justice over Europeans? Sir Barrow Ellis in 1872 bore very remarkable testimony to the very beneficial effects of their administration, and there was never heard—(and this is the most extraordinary part of the whole thing)—there was never heard from those gentlemen of Calcutta one word against the exercise of jurisdiction by native magistrates in the presidency towns of India. Am I to be told as a matter of logic and principle that the native magistrate is competent in Calcutta—that there is no disability when you are inside of the town of Calcutta, but that outside the town of Calcutta there is an absolute disability imposed, and that a man with a dark skin cannot try a man with a white skin? (Cheers.) Now, my lord and gentlemen, I will just say one word with regard to the question of fitness. I sympathize with all those of our friends who are in India to the fullest extent in one thing. I do not admit for a moment that they have any right—any birthright or otherwise—to be tried by any particular class of individuals. What they have a right to is a fair and impartial administration of justice—(cheers)—and

before the Government extend jurisdiction to any class of natives they ought to be in a position to satisfy themselves and to satisfy the country that they can give that impartial administration of justice. Now what is it really that this Bill proposes? As the Bill stands at the present moment only those native gentlemen who have competed in the Civil Service and have won their high position against the flower of English youth, and who have spent years in India and passed their various offices till at last they are eligible to be made district magistrates or session judges—it is only gentlemen in that position who would by the operation of this Bill when they are appointed district magistrates or session judges exercise any of the powers under this Bill. Now am I to be told that those gentlemen are not to be trusted to exercise power for petty offences when committed by Europeans? See what the result is. The gentleman who competes in the Civil Service may be a man of the very lowest caste. Caste is no barrier to his trying to gain admission into the Indian Civil Service. Whatever caste he is, he may, if he has the necessary talent, attain to that high position, and having attained to it this may happen: you may have brought before this man of low caste a man of the very highest caste—of the most ancient lineage in India, and tried on a charge of murder, and then the Government by appointing this man to that office tells the people of India that this man of the lowest caste is competent and capable to try a man of the very highest caste in India upon the most grave charge that can be preferred against any human being. But what happens? The next day an Irish navy has been drunk and has committed himself. He is brought forward on a charge of assault or the charge of being drunk and disorderly; and the people of India are to be told that that man who the day before was competent to investigate the case and to pronounce (subject to the approval of the High Court) a sentence of death upon one of the highest persons in India is not fit to try an Irish navy and fine him five shillings. (Cheers.) I confess, with great respect to all those gentlemen who talk to you about their experience in India, that I do not understand what frame of mind a man can be in who could seriously face that absurd contention. And that is the effect of the operation of the Bill, so far as it goes. Then there is another part of the Bill which directly appoints no magistrate at all, but it authorizes the Government to select certain individuals, if they think fit, from certain classes. Now, as to that, I can only say this, that the responsibility of election rests upon the Government; the Bill appoints nobody: and of one thing I am quite sure that the Government of India, if it is fit to be trusted



with anything at all, is fit to be entrusted with the duty of selecting those gentlemen, and I have no doubt whatever that those who will be selected to try Europeans (it must be remembered for very slight offences) would be fully competent for the work which they are appointed so to do. (Cheers.)

Mr. ARDESHIR KAVASJEE SETTNA said: My Lord, Ladies, and Gentlemen,—I am sorry to find that I am the first Indian called upon to address the meeting this afternoon, which makes me feel a weight of responsibility on my shoulders. I hope, however, that I may be able to do my duty. I beg to assure Mr. Branson, or anybody else, that I have carefully followed the whole literature on this subject—though I am not as much indebted to the people of India as Mr. Branson says he is, except what every patriot owes to his country—but I cannot find a single argument on the other side which has any reason or logic whatever in it. The arguments on the other side seem to be mainly based upon three or four heads: first, the theory of the sword. I can only say on that head that I cannot understand Englishmen holding that theory, for, if it is put into practice it will be only a question of time when the English will be driven out of the country. (Hear, hear, and dissent.) I am very sorry to say this, and I say God forbid it; but that will be the only consequence of trying to govern India by the sword. Then, secondly, there is the theory of the distrust of the native magistrate. But I do not think it necessary to say anything in defence of tried and trusted servants of the Government, such as compose the native magistracy. I am sure the native magistrate will be a better judge of the splenic disorders of his countrymen than an English magistrate. (Hear, hear.) The third head is simply prejudice, which, I am sorry to find, even my friend, Mr. Lethbridge, preaching from platform to platform. If that objection be examined minutely it will be found that at the bottom of it is mere pride and arrogance, the so-called superiority of birth, or something of that sort. Now, the long and short of Mr. Elliot's argument is, that, if this Bill was passed, it would have the effect of drawing English capital out of India. Now there are some people inclined to argue the point whether India does not all derive any benefit from English capital. I am unable to give my opinion either way. But I will assume, for the purposes of my argument, that India is benefited by English capital. Now let us see how that capital will be driven away. In the first place there is the large capitalist, then there is the small capitalist. The large capitalist sends his money to India: the small capitalist comes himself. Now, with the large capitalist I do not see how his capital is going to be

driven away from India because the capital is not going to be tried by native magistrates. (Laughter, and Hear, hear.) As to the small capitalist, I am going to give Mr. Elliot a very good authority, and that is his own authority. (Laughter.) In a very interesting book which he wrote, entitled "Experiences of a Mysore Planter," he speaks of the way in which he lived when he first went to India. He says he lived in a very small cottage surrounded nightly by prowling tigers and bisons, and that there were rats running up and down his bed. Now, a man like that, a man who is not to be frightened away by rats and jungle tigers, surely is not going to be driven away by Indian magistrates. (Much laughter and Hear, hear.) Mr. Elliot says it is unnecessary and unadvisable for us, as practical men, to inquire what has given rise to this agitation. Now, I should have thought it was our first duty to inquire whether the agitation was really unfounded or really had a deep-seated cause. Past experience has shown us what such agitation can do. Mr. Elliot also says that this agitation has been shared in by Jews and Armenians. That, in itself, shows the hollowness of the whole thing. What have Jews and Armenians, who, at present, are tried by native magistrates, to do with this at all? Elsewhere in the paper Mr. Elliot says something about the educated youth of India. He says, "that the judgment of the educated youth has been swept away in 'the heat of conflict.'" Really, my lord, I think the facts are quite the contrary, and that instead of the "educated native" having had his reason swept away, it is the very learned and brilliant and civilized Anglo-Indian whose reason has unfortunately been swept away. (Laughter and Hear, hear.) Mr. Elliot again asks, "By whom is the 'problem of the interests of the masses of India to be solved?'" And then he goes on to say, "Surely not with the aid of the eloquent 'Baboo barristers, who are walking about Calcutta with briefless 'pockets; surely not with that grand political progress we hear so 'much about; surely not with the spread of education.'" I would add the words, "But if it were at all possible to be solved by any of 'these means, it can never be solved by the interested foreigner 'going to India simply for making money." I dare say the good of the mass of his countrymen is more at heart of the educated youth of India than it possibly could be at that of the foreigner coming simply for self-aggrandizement. In conclusion, I would appeal to the English public whether India is not to be governed in accordance with the proclamations of Her Majesty and with the opinions of great Indian statesmen, who have from time to time given promises and expressed opinions, rather than by simple clamour or feeling on the part of an interested class of people? (Cheers.)

Mr. JOHN SHAW: My Lord, Ladies, and Gentlemen,—I think we have now arrived at a point in this discussion when it must be evident to all that the great question to be settled is, How is the Government to get out of the mess they have got into? (Dissent.) I do not believe that there is good ground for the alarm which has been expressed. It seems to me that the supervision which the High Courts exercise over all magistrates ought in itself to be sufficient to prevent that great feeling of alarm; and there are other safeguards, such as the watchfulness of the press. But I go further. I feel it is a bold thing to say, especially after an absence of some five years from India, that I very much doubt whether this alarm really exists. I cannot believe that any Englishman in India really seriously and soberly believes that if this Bill passes into law he will be a bit more exposed than he is now—which he is, I believe, very much—to false accusations; or that charges brought against him will be less fairly and justly tried than they are at present. But there is an objection to this Bill, and, to my mind, a fatal objection. It is the reckless disregard with which the feelings—the susceptibilities—the prejudices, if you will, of Englishmen have been trampled upon and disregarded. It is impossible in such an assembly as this to discuss those prejudices (I call them so for shortness' sake), much more to attempt to justify them, though I am quite prepared to do so. I will only say that it is a most dangerous thing to disregard those prejudices, and that I believe disregarding them is fraught with all the evils which have been so well pointed out by Mr. Elliot in his most able and temperate paper, upon which I most warmly congratulate the East India Association. (Hear, hear.) But more than this, it is a sort of thing which Englishmen will not submit to in any part of the world. Some of us think that this spirit of insubordination, if you choose to call it so, this determination not to be put upon, this opposition to anything like arbitrary legislation, is one of the brightest attributes of the British race. I will not ask my native fellow-subjects to so consider it, but I will ask them to look upon it as a prejudice which deserves consideration from them. I will ask them to recollect that they have many prejudices, at least what appear to Europeans to be prejudices, and that those prejudices have been most tenderly regarded by the British Government, especially in all matters connected with the administration of justice. (Hear, hear.) If that is remembered, and if our native fellow-subjects will look at the matter in that way, I hope that there may yet be a chance of their believing that the Government will do well and wisely if they adopt Mr. Elliot's suggestion, which is, I think, most ably put, as the way to get out of

the difficulty—namely, “the simple withdrawal of the measure with “the statement of the fact, that the time is not suitable for its “introduction.”

Mr. J. D. MAYNE (late Acting Advocate-General in Madras) : My Lord,—As by the rules of our debates I am allowed only ten minutes to speak, I will commence without any preface whatever, except simply to say that for fifteen years I lived in Southern India and for fifteen years I was connected with litigation in every district and in every department of Southern India; for fifteen years I had, I believe, a fuller acquaintance with native litigation and with native litigants than any single gentleman (except perhaps one, Mr. John Bruce Norton), who ever occupied the position I hold. And for fifteen years some of my warmest and best friends were natives; and this I will say, that at every period of their anxiety and distress I believe I was the one member of the bar to whom the natives appealed for assistance. Therefore I ask you to believe that in addressing to you the words which I am about to use, I speak with no spirit of national bigotry: I speak with no spirit of national prejudice. (Hear, hear.) My lord, the question which we are here to discuss as put down upon the card of invitation which brought me here to-day is a question from which it seems to me this debate has signally wandered. I am happy to feel that I have to follow my old friend in Madras, Major Evans Bell, and I am likewise happy to feel that I have to follow a gentleman who spoke with considerable eloquence, though not, I think, with so much knowledge of the subject; and that I have to follow a native gentleman who spoke, I will not say with what degree of either. But they have not, either one of them, touched the one question which we are asked, and that is, how far this measure tends to the general interest and welfare of the people of India. That is the question we are here to discuss. I have heard a great deal to day that it will not do any harm to the English. I have heard some people say that it will not do them so much harm as is expected; and I have heard some people say that some of the English objections to it are unfounded; but I have listened and listened in vain for a single argument to show that it will do an atom of benefit to any single individual in Her Majesty's dominions. (Hear, hear, and Oh, oh!) The people of India are governed by the laws which have been laid down for them, and which govern Indian-Europeans as well. The natives of India are governed by magistrates of their own race, with whom I believe they are perfectly satisfied, and there is not the slightest intention on the part of the British

Government to alter or take away a single privilege which the natives of India possess. My friend, Major Evans Bell, talked with much eloquence about immunities and privileges, and so forth, but I ask you what immunity of the natives are about to be withdrawn, what privilege of the natives is proposed to be affected? They are perfectly satisfied with their system of judicature; they are perfectly satisfied with the law which is administered to them, and the question which Mr. Ilbert's Bill affects is not the administration of the law to the natives of India, but the administration of the law to Englishmen who happen to be in India. And, gentlemen, I ask, how are the natives of India concerned in or connected with the mode in which an Englishman, whether he be an English navy or an English official, is tried for a crime he may have committed. How does it concern the natives of India by what magistrate he is committed or by what judge he is tried any more than it concerns them how any gentleman leaving this hall to-day might be tried for felony at the Old Bailey to-morrow? (Hisses.) I wish those native gentlemen before they proceed to hiss would wait till I have concluded the argument I am addressing to them. I admit that if it was shown that, when an Englishman was tried for an offence committed either against a native or a European, there was any partiality on the part of an English judge, it would then be necessary to alter the system under which such partiality would exist; but I challenge any of those native gentlemen who have been so vociferous in their expressions in favour of this Bill to suggest that there has been a single breath of suspicion against the partiality of an English judge. I claim a larger acquaintance with native and English litigants in Madras than any native gentleman in this place has, and I say my own invariable experience is that, if a native could get his case transferred from the native judge to an English judge, he always attempted and often succeeded in doing so. (Hear, hear, and dissent.) Since I came into this hall I have been speaking to a major in Her Majesty's service who was in the Indian army in 1865. He informed me (what I was already acquainted with) that when a native Sepoy is charged with an offence, he has, in certain cases, the option of being tried by his native officers or by the English officers. The exercise of that jurisdiction by an English officer is attended constantly with the greatest inconvenience. European officers have frequently to be sent three hundred or five hundred miles at the expense of the Government in order to form a court, and consequently the exercise of this option is discouraged as far as possible, and yet this officer informs me, in nine cases out of ten within his own experience, when a Sepoy is charged

with an offence which gives him this privilege, he claims the right of being tried, not by his fellow-countrymen, but by an English judge. (Cheers.) Therefore, my lord, I say that any suspicion or suggestion that there is partiality exercised by a European in favour of a European most decidedly and completely falls to the ground, and the moment it does so the native interest absolutely ceases for us. (No, no.) The natives certainly have an interest in the European being tried impartially, but if he is tried impartially they have no more interest in his being tried by a native judge in preference to a European judge than they have in his being confined by a native jailor or hung by a native executioner if he should be condemned to death. But, gentlemen, I do say that it is a matter in which a European has a grave and a deep interest. We have been told that the clamour raised against this Bill by the English community is a factions one. I deny the assertion. If there is one single mode by which the genuineness of that sentiment could be ascertained, it is put beyond all dispute, not only in the presidency towns where they are under the influence of the press, and of some prominent harristers, as has been said, but in every town in the Mofussil—in every district where five Europeans are collected together, those five Europeans have assembled in public meeting and sent up petitions to the Viceroy, and Her Majesty against the passing of this Act.

Dr. G. B. CLARKE: My Lord, Ladies, and Gentlemen,—I came to the last meeting expecting to hear from Mr. Elliot the case for the non-official Europeans ably and well put, and it was ably and well put, and what does it amount to? What are the arguments and facts brought forward by Mr. Elliot? There is really only one argument, and that is, if you pass this Bill the result will be to drive capital out of India. Now Mr. Elliot brought before us no evidence in favour of this assumption, but I state here that the assertion made is utterly unfounded and utterly unwarranted by any fact in any colony or by anything within his own experience. Further, I assert that all the facts and all the methods by which we can test this assertion prove it to be false and unfounded. I will not take France because it is a different country, but the French do not give to their citizens any special privilege in any of their colonies. I will take India, and I will take Ceylon—both our Crown Colonies, both dominions of the Crown; they are both under almost similar conditions, and in Ceylon you have Indians and natives in the same position as they are in India. What do we find then? We find that in Ceylon native judges try Europeans in the same way as they try natives in all parts

of the colony—in the country districts as well as in the towns and that there is no complaint at all against it, and that capital flows into Ceylon even more, comparatively, than it does into India. (Cheers.) There are more planters there and more British capital than there is comparatively in India. So that we have, in a country exactly similar to India, separated from it by a sea narrower even than that which divides this country and Ireland, exactly the conditions that this Bill proposes and instead of their having less capital in it you have more capital and more planters. I should like that fact to be borne in mind because I submit that nothing has been brought forward before us by Mr. Elliot to show that there is anything in the Bill which will prevent, or will probably either tend to prevent capital going in or drive capital out—that is, there at the present time. Then I go further, and I say it will tend to enrich India, because it will have the effect of keeping capital in the country. The great disadvantage of our rule in India at the present time, is the drain of capital away from the country, and if you can, by having native judges and having native members of the Government, keep additional capital in the country to be used in India itself, and add to the wealth of the country, then you will be doing some good to India, and you will be using native capital to develop the resources of the country instead of taking it away. I very much question whether after all British capital has done any good to India and whether it has not rather impoverished than enriched the country. (Oh, oh!) The real nature of the opposition to this Bill we have seen here to-day. There are certain gentlemen who are opposed to the principle on which we govern India, and they wish, if possible, to reverse that principle which was laid down in 1833 and in 1858, viz., that there shall be no disqualification in virtue of either creed, colour, or race. (Cheers.) They want that Act of the old company and the proclamation of Her Majesty to be a dead letter, and instead that we shall disqualify men because of colour, race, and creed. They say frankly, "We have won India by the sword and must keep it by the sword." Questions of justice are of no importance, all we have to consider is our own interest. Now, even upon that brigand theory I think it will be our interest not to oppose this Bill. I think it is our interest so to rule India as to gain the affection, the esteem, and admiration of the Indian peoples, and to make India, not by force, but by good-will, a part of this great Empire, and a source of strength instead of weakness. (Cheers.) Now, my lord, this Bill has been very much misrepresented. The whole tendency of the Bill is simply to add a little to the power of native judges. They have powers now in all

the presidency towns, and all you require to do and all that this Bill does is to give to the ablest and most intelligent and most experienced judges in the Mofussil the same powers that they have in the towns. It will rectify the absurd anomaly which exists, and place Englishmen who reside in Calcutta, and Madras, and Bombay, and those who reside in the Mofussil in exactly the same position. Now what are the elements you want in a judge? You want certainly a knowledge of the law. Can any one here tell me that these native gentlemen who have passed the examinations do not know the law. (Hear, hear.) Then you want impartiality. Have any facts been brought forward to show that these men are less impartial than the Europeans who go there. As a matter of fact we had experience at our last meeting of the impartiality of some Europeans. (Laughter.) We have yet to learn that impartiality is a monopoly of the English race. Then a third thing you want in a judge is sufficient ability to know the value of the evidence and to sift it. I think that in matters of that kind, with all these false accusations which are brought against Europeans in the Mofussil, the native judges are better able to sift evidence and to place a proper value upon it than Europeans—(cheers)—who will not know the native character half so well as one of themselves. But this argument really goes further. If these gentlemen really mean anything they mean that there shall be no native judges at all, because you have in India different races and different creeds. Now if a Parsee judge is sufficiently important that he can be trusted to do justice to Mohamedans or Hindns, and to others of different race and creed from himself why should he not be considered fit to try Europeans? (Hear, hear.) I submit that, until it is shown that sufficient impartiality is not likely to be exercised, these gentlemen have no *locus standi* for opposing the Bill. Now this is a practical question, and we are very much in the habit of looking at it only from a European standpoint. But then the natives have rights as well as Europeans. Some years ago, when I was in Bombay, I was connected with the European Strangers' Home, and I attended it very frequently, and I came across a class of men there which probably a great many gentlemen here may not have met. I refer to some of our poorer brethren in India—goods' guards, runaway sailors, ex-soldiers, and so on, and men who live in a very curious fashion in India, who wander up and down the country with a pack on their back, living sometimes honestly and sometimes not. Well, if one of these men committed a crime—(I do not say he would be Irish, he would perhaps more likely be like myself, a Scotchman, for there are more Scotch than Irish in India)—against some poor



wretched native earning three or four annas a day, he is put to the expense of going fifty or a hundred miles to find a European judge to judge between himself and a European. And what is the consequence? He will submit to the wrong he has already suffered rather than add to it, by going to further expense in his search for justice. I think you will find in India there are a great many cases of injustice of that kind, because of this absurd law which Mr. Ilbert is now attempting to rectify. Finally, I assert that for fifty years native judges in Civil Courts, and for twenty or thirty years in Criminal Courts, and as members of the Legislature, have acted wisely and well, and performed their duties with conspicuous impartiality and ability. All the facts of the past prove that the natives are quite capable of filling the offices to which they have been appointed, and I hope that this Bill and other measures in the same direction will be persevered in. (Cheers.)

Mr. JOHN DACOSTA said: My Lord, Ladies, and Gentlemen,—The most serious objection to the Bill, in my mind, is that it would extend the jurisdiction of Courts, the utter inefficiency of which in criminal cases is a matter of public notoriety in India. (No, no.) The Indian press, both English and Vernacular, has brought to light numberless cases of unjust verdicts, either based upon false evidence or unsupported by the testimony of witnesses examined by the judge. I could cite cases where men have been found guilty of murder upon evidence which the judge had never heard, and where the verdict and sentence were based upon a more or less correct translation of what some witnesses were alleged to have stated before the committing magistrate. Thus, the assistance which the cross-questioning of witnesses, and their general bearing afford in eliciting the truth, were entirely denied in these cases. But the evil is of far greater magnitude still. The evidence collected by the magistrate is given in the presence of the police who have previously held the witnesses in their custody, and had opportunities, by threats or torture, of successfully dictating the nature of the evidence which should be given. (Dissent.) The anxiety of the police to obtain a conviction is stimulated by an intimation from the Government that their duties will not be considered as having been satisfactorily discharged unless the convictions bear a certain proportion to the number of cases undertaken by them—(Hear, hear, and No, no)—and the leniency shown to those members of the police who have been discovered in the practice of torture, has encouraged a degree of audacity in their nefarious doings, such as would be incredible but for the numerous instances of it which have come to light. (Hear, hear.) Until late years, cases of torture by

the police were generally hushed up, and, if punishment has been awarded in some cases, it is to be attributed in a great measure to the publicity which those cases were likely to acquire through the press. (Hear, hear, and dissent.) As regards the nationality or race to which the officers belong, who preside over the Mofussil Courts in India, we must admit, looking at the unimpeachable conduct of those natives who have been appointed judges of the High Courts of Bengal and magistrates of Calcutta, that the inefficiency of the Criminal Courts in the provinces is chiefly due, not to the race to which the presiding officers belong, but to the constitution of these Courts. (Hear, hear.) The Mofussil judges and magistrates, both native and European, are Government servants, removable from their post at the pleasure of the Government. They are, therefore, not independent judges, such as Englishmen have a right to demand when their lives and liberties are at stake. (Hear, hear.) In order to take up as little of your time as possible, I shall cite only one case which will, however, fully illustrate the very great danger to which Englishmen would be exposed if this Bill were enacted into law. A first step towards subjecting Englishmen to the jurisdiction of the Provincial Courts in India was taken when the Duke of Argyll gave his sanction to the "European Subjects' Act, 1870," rendering Englishmen amenable to such Courts when presided over by Englishmen. This measure soon led to a most cruel case of injustice. A young Englishman who had recently gone out to India and found employment in a tea-plantation in Assam, was accused of having murdered a native, and although the evidence supporting the charge bore the clearest indication of falseness and conspiracy, the Court held the young man to have been guilty and he would have paid the penalty of the law had he not for his possessing a small sum of money provided by his parents for starting him in life, and which enabled him to appeal against the judgment to the High Court of Bengal. He was accordingly conveyed to Calcutta for re-trial, when the evidence of the witnesses upon cross-examination was found so clearly to be a tissue of falsehoods that the prisoner was acquitted without even being called upon for his defence. Four months of illusage, confinement, and anxiety, however, left him greatly shattered in health and stripped at the outset of his career (for he was but twenty-one years old) of the provision which his parents had made for his advancement in life.

While this case so forcibly illustrates the great danger to which Englishmen would be exposed if the Indian Jurisdiction Bill were passed, there is nothing in that Bill that justifies the statements, made as to any benefits which the measure is calculated to confer on the

native population, seeing that none of its provisions proposes any change in the administration of justice to the natives.

Mr. J. SEYMOUR KEAY : My Lord, Ladies, and Gentlemen,—I should wish to say a very few words upon the subject of this Bill. We have been told quite truly to-day that there are 40,000 non-official Europeans in India. I will supplement that fact by another: viz., that nearly 30,000 of these 40,000 already have their location in the presidency towns and consequently are already under the jurisdiction of native magistrates in criminal matters. Consequently the provisions of this Bill simply affect the odd 10,000 non-official Europeans scattered throughout the country. I beg to proclaim myself one of these 10,000. At this moment my interests are entirely affected by the passing of this Bill. If it pass to-morrow I shall by the month of October, be subject to all its onerous and frightful provisions—not only so, but my wife who will then accompany me to India, will also be subject to its fearful penalties. And yet we do not wince at the prospect before us. We have to-day heard speeches from several very able, learned and gallant gentlemen, Mr. Branson and others hailing from the presidency towns, and the gallant gentleman near me [Major-General Hopkinson] representing Assam. But I would urge that the tea interest in Assam is a very special one, and consequently I can well imagine that the gallant gentleman may have formed views very different from my own from his special experience there, and that they may be perfectly sound views if he confines his observations to Assam. As to the gentlemen who come from the presidency towns, I am free to say from my own personal knowledge that such gentlemen always maintain opinions quite inconsistent with the interests of the Mofussil of India. Even Parsees in the City of Bombay habitually declare in favour of many regulations and provisions of British rule in India which are vehemently objected to in the country. And the cause of this is not far to seek. It is that the presidency towns are depôts, principally formed by European commerce, and, as such, it is very natural that all the inhabitants (not only Europeans, but natives) of those towns should be considerably biased in favour of the British system. I speak, not only as one to be affected by this Bill, but as one whose observation of India has been very far from confined to the presidency towns. I have been for twenty years in the Mofussil of India, and, with reference to what Mr. Branson said about English capital, I may venture to state that I have the qualification of being, I believe, one of the most considerable capitalists in the State of the Nizam of Hyderabad.

When in the service of the Banks of Bombay and Bengal it has been my duty to lend not less than seven million pounds sterling to the natives of India without security. In doing so I have very frequently had to prosecute suits for large sums of money before native Judges—not the class of trained native Judges who are now to receive a certain increase of jurisdiction under this Bill, but what everyone in this room would call untrained native Judges. In Hyderabad I have been the plaintiff in suits involving immense sums of money, and I can certify that during a period of twenty years I not only never had to appeal as sometimes Europeans do, although illegally, to the British Resident at the Court of His Highness the Nizam, but I never had even to appeal from any of the native Judges to the Nizam's own Government. On the other hand, as a European living under the British Resident's jurisdiction I have been several times sued before a European Judge. In one case which I have now in my mind I was, as agent for the Bank of Bengal, sued for a claim involving the disposal of £270,000 sterling. I won the suit and, I believe, justly so. It was a military magistrate, however, who tried it. He knew very little about law and even less about the native language. There were many pecuniary and technical terms involved, and, somewhat to my shame, I found myself set up as practically the interpreter of the evidence of my opponent's witnesses. (Laughter.) I need not draw any inference from the statement I have made as I think the audience will be able to draw it for themselves. I now come to the allegation which is often made, that whatever may be the merits of the Bill, at all events there has been, until the present agitation, no demand for it among the natives, and thus there is consequently no particular necessity for it. I would beg entirely to differ in regard to that allegation. I have the advantage of speaking and reading several—or, at any rate, two—of the native languages with fluency. Long before this agitation began I habitually read the native newspapers, and I particularly remember one of many arguments which I have frequently seen put forward in the native press before the Ilbert Bill was ever thought of. It was that Europeans are continually found in the country (non-officials, I will admit), who impress carts, bullocks, and provisions on their own account, and that against this the native is practically, though not legally, absolutely helpless; for the reason, not that the European magistrate would be partial to his own countrymen, and would give decisions in their favour, but because the European magistrate is non-existent. He is not to be found within reach by the native who has been despoiled. I have myself known hundreds of instances in which, for the reason just stated, the Euro-

pean non-official has cheated the native of India, and the native of India has been helpless. I am well aware that the Ilbert Bill will not provide for many of such cases. I know that it only provides for covenanted native magistrates acquiring the powers in question. But I desire that all native magistrates who are duly appointed, and therefore presumably qualified, should have these powers, because I desire, as every one who had had my experience would desire, that such proceedings as I have referred to should be stopped. I need not say that hatred instead of love is necessarily fostered in the minds of the natives of India by those Europeans, though only a very few out of the 10,000 going through the country as they do, and committing gross injustice. To check such doings, therefore, by ordaining that every duly qualified native magistrate should have the same jurisdiction over Europeans as he now has over natives would certainly only tend to increase the stability of our rule in India. (Cheers.)

Mr. R. H. WALLACE DUNLOP, C.B. (late of H.M.'s Bengal Civil Service): My Lord, Ladies, and Gentlemen,—I should like to take this opportunity of giving my practical experience upon matters connected with this subject. Firstly, I say the question we must decide before we go into any discussion upon points of sentiment is, are we to keep faith with our Indian fellow-subjects or not? (Cheers.) I can only tell you that some quarter of a century ago I happened to be magistrate and collector of the district of Moradabad, in Rohilkund, and I remember that in my official capacity I told the natives that the *régime* of the old Company had passed away, and that the *régime* of the Queen of England (now Kaiser-i-Hind) was about to commence. In the spirit of the Proclamation then issued, I promised that for the future there should be no difference between the native and the English subjects of Her Majesty. They were afterwards assured that service in both the civil and military branch should be open to them and to ourselves alike, on the sole condition that they should carry out what I must say I then thought was an impracticable test, viz., that they should go to England and study the various sciences that our sons are now studying. I say it is most remarkable that they should come over here and compete, in a language foreign to them, with the trained youthful talent of England and beat them. That is what I believe to be the promise we have given them; and is it to be wondered at that they should now demand the fulfilment of that promise. (Hear, hear.) Of course there are matters of detail to be looked at, and we may not be able to provide *en masse* for those who pass our examinations, but I say that we are bound, having given that

promise, even if at present we choose out only individuals here and there, to show that we intend to keep good faith. I am certain that the natives of India looked (as we all looked at the time) upon the proclamation as a pledge that for the future our policy towards their country should be more liberal than it had been before. If any traveller goes through India he will find out that we have not yet gained the sympathy of the inhabitants. There are a large number of them who are faithful to us and who most gallantly fought for us when we have been at war. We had men of the Indian native infantry at Meerut during the fighting, who after their regiments had been dispersed came back to us to save them from disgrace. They said, "A number of our brethren have forgotten themselves, but we have been in your service many years and we hope you will permit us to serve the Government in any capacity in which you can find work for us to do; you will see whether we will be faithful or not." And throughout the mutiny, when stores had to be transmitted or for any other escort duty, these men were faithful to their trust from beginning to end. When they marched through the gates of Meerut amidst the audible slights of their native countrymen, accusations that they were false to their religion, and so on, they never wavered, and most of them, I believe, were decorated for their services. (Cheers.) Now, my lord, it is not only a matter of sentiment on the part of the Indian people that they should be made, or some of them at least, equal with their European fellow-subjects, but I declare it is a matter of necessity for the Government to grant this measure. I know that it is at present quite impossible that even justice can be done between our native subjects and the European wanderers of India. The people who will be brought before the courts if this Bill is passed will be not the class described by the opponents of the Bill; it is not delicate females or persons who will be dismayed and horrified by the fact of arrest upon some charge real or false; it is the European loafer, alluded to by one of the speakers already—persons whom the natives dread far more than they do the wild elephant. After all the opposition to this Bill is very much a matter of sentiment and feeling on the part of those who think that some privilege is going to be taken away from them. I say it is not only a matter of necessity for our Government to pass this Bill in order to do even-handed justice to all, but it is the soundest policy in the interests of the whole British Empire that we could adopt. (Cheers.) The termination of our rule in India will occur when we find the various peoples of India united as one nation against their English governors. We could not by any possibility have sufficient European soldiers to hold

the country by force, and therefore the argument "We have won India by the sword and must hold it by the sword," is utterly absurd. (Cheers.)

Gentlemen, I had hoped we were inaugurating an advanced and liberal policy in our Indian Empire—a policy of conciliation and sympathy. We cannot stand on the old lines, we have ourselves educated our Indian subjects to a point that makes certain further concessions an absolute necessity. We are at a critical period of our history; we can either shake our British Indian Empire to its base by a selfish adherence to class privileges and refusal of all reforms, a reactionary policy, or cement it so firmly with the goodwill of its people that we may despise all foreign and external attack. If our Government will, adopting the motto of our great Triumvir, "Be just and fear not," act on that policy promptly, *firmly, unflinchingly*, irrespective alike of the swagger of "Jingoes," or the self-seeking of Presidency lawyers, they will win the sympathies of all that is truest, best, and bravest in England and the East.

Sir WILLIAM WEDDERBURN said: The only point on which I wish to speak has reference to the competency and impartiality of the native judges; and on this point, which is an important one in the present controversy, I can speak from recent personal experience. As a District and Sessions Judge, I have been hearing appeals from native judges in civil and from European magistrates in criminal cases, and I am bound to say that the work of the native officials compares favourably with that of their European colleagues, especially when we consider that civil suits are more intricate and difficult than ordinary magisterial cases. I do not think that people in England at all realize the great change which has been effected in India by our educational system. Our high schools, colleges, and universities have now been at work for a quarter of a century, and are supplying to the public service men of quite a new type, men in whose qualifications and probity we may place the highest confidence. These new educated men have now been steadily working in the judicial department for ten, fifteen, and twenty years, and are well qualified to undertake the duties which it is now proposed to entrust to them. Again, as regards the danger from false charges. As judge of Poona I had an opportunity of seeing how a native jury decide questions of fact. And I have no hesitation in saying that I had much greater confidence in their appreciation of the evidence than I had in my own. For example, in one case a Brahmin was tried for murder. The evidence seemed to me doubtful, so in charging the jury I rather

inclined to an acquittal. But the jury—the majority of whom were themselves Brahmins, unanimously brought the man in guilty, and he was executed. I have no doubt whatever that their verdict was a just one. And, I think, this example illustrates the remarkable progress made by the present generation of educated natives in rising above the prejudices of caste and race. Those who knew India in old times will recognize what deep-rooted prejudices must have been overcome when in the interests of public justice a jury of his fellow-castmen could thus voluntarily consign a sacred Brahmin to an ignominious death. At this late hour I will not take up the time of the meeting by discussing the general question, but will only say that I concur entirely with those who maintain that the only proper and possible mode of deciding the question, is to decide it in accordance with the broad principles laid down in Her Majesty's Proclamation of 1858.

Mr. S. K. SANJANA: My Lord, Ladies, and Gentlemen,—At this late hour I do not mean to take much of your time, and would therefore offer a few observations on some points raised by Mr. Elliot in his paper. I could find only two or three arguments, though I endeavoured to find more, advanced by Mr. Elliot in support of the subject-matter of his paper. First of these was, that the time of introducing this Bill was miscalculated, and that it could have been brought forward with better effect at some more favourable time. I, for my part, cannot conceive a better and more suitable time for its introduction than the present, when we have a most liberal Government bent upon redressing the long-neglected wrongs of the people of India. No time would be suitable to the mind of those Anglo-Indians who are opposed to this most benevolent and just measure, as they would, by its becoming law, lose some of their long-cherished privileges. All times would be unfavourable for such measures in their conscience. From such men we can only extort such measures by force, or we shall never get them. Secondly, he thought the payment as to capital being driven out of India by this Bill, was met by the fact that in Ceylon, where native magistrates had considerably greater powers than those proposed to be granted by that Bill, English capital was more freely occupied comparatively than in India. Mr. Elliot tells us that the English are a practical nation, and I may add, that they are shrewd and keenly mindful of their interest and not likely to be guided by bare sentiment in the very teeth of such facts as I have referred to. So it is clear that there is no real fear of the English capital being scared away. Mr. Elliot has also said that the introduction of the Bill was due to the Viceroy's desire to be popular among the natives of India. [Mr.



ELLIOT: I did not say that.] If that statement was not in the paper itself, it had at any rate been made by some of the speakers on that side. He believed Mr. Roper Lethbridge had put it forward, but he (Mr. Sanjana) believed it was utterly unfounded, inasmuch as men, the worst enemies to this measure, could not deny the fact that Lord Ripon was actuated in bringing it forward only by motives of justice based on economy and convenience in its administration. It was pretty clear that most Anglo-Indians—and especially the official portion—were in favour of this Bill, and it was a good sign for the future well-being and interests of India, and for the good relations between the natives and the English, that the former were not left to fight their battles alone, but received the sympathy and support of the majority of those who, having lived in the country and come into personal contact with the natives, were really the most competent judges amongst Englishmen as to the merits of this measure. Before I sit down I should heartily thank those just and generous Anglo-Indians for their hearty support and co-operation in this matter.

MIRZA PEER BUKHSH said he would offer a few remarks—First, respecting Mr. Ilbert's Bill; secondly, on the alleged tyranny of the Mohamedan rulers; and thirdly, on the threat of the withdrawal of European capital. There were in India a population of 257,000,000, of which the Europeans, Armenians, Jews, and other aliens contributed about 500,000 or  $\frac{1}{511}$ , and this small fraction had raised a "stern in a teapot," and it was an ungenerous thing that the oppressed should be expected to make no noise, while the oppressors were crying out, because they thought, if the Bill passed, they would not be able to beat or badly treat the natives without being judged in the Mofussil or country, where they could not be judged now, but only in resident towns, where there were European judges and jury. He quoted a telegram from Calcutta, which appeared in *The Times* on April 1st, announcing that the European and Anglo-Indian Association had been fairly established; that its first general meeting took place on Monday last; that the prospectus described the Association as having been formed to watch over and promote the welfare of the following classes of persons, viz., Europeans of whatever nationality, Anglo-Indians, European British subjects not falling under either of these denominations, Americans, Armenians, Eurasians, and others associated with Europeans by community of sympathy, as the tendency of recent legislation and administrative action was to disregard the interests of Europeans;

that the first and immediate efforts of the association would be devoted to the preservation of the right of Europeans and British subjects to be tried by their countrymen, and that meetings had already been held in seventy-five places. The speaker said that he had examined the names of the towns, out of which only eight or ten were known, while the remainder were obscure villages. Why, then, he asked, did they not give the numbers of the gentlemen who attended the meetings, which consisted probably of one or two clergymen, some wine merchants, some tea planters, or some officials, from which might be gathered what a selfish decision guided the Anglo-Indian Association? He further said that he had been informed by an Englishman, who was thirty years in India, of the proceedings of a court in the North-West provinces, where an English judge was trying a native. "The magistrate," he said, "was seated in his chair with his feet on the table with a cigar in his mouth and a glass of brandy-and-water beside him, and talking all the time with the visitor. When his clerk asked him what sentence he was going to pronounce, he replied, 'Give the rascal two years;' " that this was the sort of justice dealt out by Europeans, and he contended that all subjects of Her Majesty the Queen of England and Ireland, and Empress of India had a right to receive equal justice and which Mr. Ilbert's Bill aimed at bringing about. As regards the alleged tyranny of the Mohamedan rulers of India, he said he could prove that at the time of the Emperor Ackbar the Great and Jehangir, there were seventy-two noble Ameer Mohamedans and seventy-two Rajpoot and Hindu Commanders or Ministers, who showed in every situation; that there was an income of Rs. 950,000,000, or £95,000,000, all the money being spent in the country, which was considered better ruled and a rich country. The speaker said that he wished to know what share the Indian people had in the government of their country under the rule of the most civilized and maternal Government of Her Majesty the Empress of India. He continued saying that, when India was considered a rich country, the European's greedy eyes were turned towards India, Dutchmen, French, Portuguese, and English; that the Hon. East India Company started with a capital of £30,000; but that it would be too long and too painful to enter into details as to how from such small beginnings they acquired such a vast empire. In conclusion, he remarked that India has an income of Rs. 750,000,000, or £75,000,000; and that it was not very bad when £1000 produces a profit of £2,500,000, more than two-thirds of which came home directly or indirectly, that Mr. Elliot should threaten the withdrawal of English

capital from agricultural enterprise, on which about 12,000,000 was employed; that, while in England in Consols only 3 per cent. was got and in the open market sometimes 2 per cent., in India it was from 8 to 9 per cent., so that for every £1000, £80 or £90 a year was to be had, or double the amount in first case in nine years and in second case in eight years, instead of £30, that with some nations one risked losing one's capital, and he wished to know in what other part of the world could more productive fields be found.

Dr. G. W. LEITNER: I rise in compliance with the request made by the noble Chairman, although as an official, in spite of the example of Sir W. Wedderburn, it is as awkward to oppose a strong feeling among one's fellow-countrymen as to oppose a measure which the Government one serves is apparently bent on carrying out. I say "apparently" because it seems to me that Government is as ready as ever to arrive at a satisfactory solution of the question before us on the weight of the evidence and opinions that may be submitted to it. It is, or ought to be, the tendency of every Liberal Government in India not to degrade the European to a lower level in the name of equality, but to raise the native to the level of the liberties of the European. Having advocated before this very Association the policy of "Native Self-Government," especially in matters of "education," in January 1875, in a lecture the further discussion of which was postponed *sine die* owing to my return to India, it would ill-become me to be silent on this occasion, especially as I could, with all deference to the views of others and diffidence as regards my own proposal, submit a suggestion which might be the means of reconciling both parties to this unfortunate dispute, which has been intensified far beyond its merits and to the detriment of that co-operation of natives with Europeans towards the common good of India, which Mr. Elliot desires. (Hear, hear.) But before submitting my suggestion, I would wish to bear my tribute to the impartiality shown by the Chair to speakers on both sides—an impartiality worthy of the professed aims of the East India Association, as also to the evident honesty and generosity of motive that have inspired the most uncompromising partisans for and against the so-called Ilbert Bill, although, it must also be added, that both sides have given utterance to views which the wise among them are sure to regret either already or in the future. Let me, therefore, appeal to the generous patriotism shown on the one side and the equally generous abnegation of patriotism on the other, to shape the present agitation in such a way as to result in the acquisition of a boon to the natives of India.

Under the present system a European British subject accused of a crime has a right to challenge the judge and jury. [Mr. ELLIOT: Not the judge.] I had understood this was so, and one of the journals of the Society, the *Anjuman-i-Panjab*, which I have the honour to represent, and which has been the earliest and most consistent advocate of Native Self-Government and of a Provincial Council for the Panjab, has just proposed the measure to which I will presently allude. Why not extend the privilege, now enjoyed by a European British subject, of being tried by a jury of his fellow-countrymen, to the native, whose person is greatly in want of such protection? According to the caste system which, in spite of our efforts to undermine it, still keeps India from total disintegration, an accused should be tried by his peers. Even Turkey, in her most arbitrary days, allowed the subject Greeks, Armenians, and Jews to govern themselves in all matters in which Muhammadans were not concerned; the Kazis in Transcaucasia enjoy a jurisdiction under Russian rule, which is only partially conceded in the Indian Kazi Bill, for obtaining which the *Anjuman-i-Panjab* has laboured so long. No European worthy of the name would object to the above privilege, so cherished by him, being extended to natives. All he objects to is being deprived of the privilege. It is also a question for consideration whether the excitement stated to prevail among Englishwomen in India would not be allayed by the privilege of *Parda-nashin* native women being extended to them. Both Europeans and natives would then possess the same privileges which are now reserved for their separate respective enjoyment. Why not, therefore, shake hands over the Ilbert Bill and make it the happy means of increased sympathy between European and native instead of the apple, or rather stone of discord, which it is likely to become between the European and native fellow-subjects of Her Majesty? (Applause.) The article alluded to in the English journal of the *Anjuman-i-Panjab*, the attitude of which has been telegraphed at some length to *The Times* from its Calcutta correspondent, runs as follows:—

“It was stated by the Sheriff of Bombay that there was likely to be a compromise in the matter of the Native Jurisdiction Bill. A compromise can only mean an abandonment of principle, and is therefore to be deplored. The principle that all persons should be equal before the law cannot be abandoned with impunity; at the same time there is nothing in the law which gives equal power to all magistrates and judges, nor is that desirable. The objection is that a difference of jurisdiction has been recognized by the law, based upon a difference of race. This difference cannot be allowed to subsist if our laws are to be just. In India we are all British subjects,

"whether native or European. The true principle is to recognize this fact and to permit it to be carried to its legitimate conclusion. European criminals now possess the right of challenging their judge as well as their jury and this right seems fair and reasonable, and we should carry it out in its entirety by giving native criminals exactly the same right. We have recommended this course from the very beginning of the discussion, and we honestly believe that it is the right solution of the problem. A native should have the right to object to be tried before the judge of another race, and he should be entitled to claim a jury. No administrative difficulty would be encountered in carrying out the proposal. It has often been pointed out that the privilege is that of the prisoner and not that of the judge; and the question must be dealt with from the prisoner's point of view."

**MAHOMMED HAMID ULLAH:** My Lord, Ladies, and Gentlemen,—I rise with feelings of pleasure and gratitude to thank those English gentlemen who have spoken in favour of the Criminal Procedure Bill this evening; and not only do I thank them for this particular occasion, but for a number of others when they have generously come forward to our help. Indians come here to pass their examinations, they are no orators, and their knowledge of the state of India is in most cases limited to their own provinces; but on English platforms they have to face opponents who have gained official experience in India, opponents ever ready to attack them—and how could they hold their own against such people were it not for those well-wishers of India who meet their arguments with reasoning equally weighty and far more just. After so much has been said about Ilbert's Bill, I need hardly dwell upon it at any length: a few words will be enough. One of the speakers before me said that since the natives of India have so many prejudices with which Government does not interfere, they ought to pass over a prejudice of the Europeans. Well, to this I can only say that we would be glad to do so if we knew it to be really a prejudice—an honest prejudice—but it is no such thing; it is a threat to check our claims for equality with all our fellow-subjects. The fact is that the object of the present agitation is not so much to condemn the Bill itself, but the policy of equality.

Mr. **ROBERT H. ELLIOT**, in reply, said:—The unusually protracted discussion we have had leaves me little time to answer the speakers who have adversely remarked on my paper. There are, however, two points which I may select as claiming particular reply, and to those I must make some brief answer.

Several speakers alleged that I had brought forward nothing to show that discord in India would affect capital. I am afraid they could have paid little attention to the lecture, because they will find at page 250 that I have shown that in consequence of discord in Ireland, capital is much dearer there than in Scotland, and it is evident that if discord can produce such an effect close to our own doors, it must produce a much greater effect 6000 miles away, when such a limited number of our countrymen have to rule over the vast continent of India. Several speakers, I may notice, alluded to Ceylon as a place where, though native judges had the same powers as European judges, the flow of capital had not been affected. But no fair comparison can be made between Ceylon and India, the former being a small island where the European settler cannot be far from important centres, and where, therefore, there is no greater objection to a native magistrate trying Europeans criminally than there is in the case of natives doing so (and you are aware they now do so) in our Presidency Towns. In conclusion I have only to say that not only has no one attempted to answer the title of my lecture in the affirmative, but that no one has attempted to dispute the broad grounds of my lecture—in other words, to dispute the fact that the Bill and the agitation it has given rise to, have been injurious to the public interests and welfare of the inhabitants of India generally.

The Noble CHAIRMAN: Ladies and Gentlemen, we have considerably passed the hour at which it is usual to close our discussions, and I thank you for the patient hearing you have given to the arguments that have been urged on either side. There are two things I forgot to mention in my opening remarks. One is that no leading member of the Indian Government, or any leading Indian official, or, as far as we know, any member of the Government at home has dissented from this Bill. (Cheers.) Whenever there is any dissent at the India Office the news is sure in some way or other to leak out. It seems to me, under these circumstances, that this country should follow the advice of the chief men of India, and not that of the settlers who have raised all this clamour. (Cheers.) There is a Persian saying to the effect that "Testimony should be given by the wise, and action taken by the State;" and I hope that in this case the State will adopt the counsel of the wise. (Hear, hear.) Then the other remark I wish to make is this: A London newspaper recently stated that Syed Amir Aly, who had been chief magistrate at Calcutta, had been dismissed. I am happy to say this has been recently contradicted by a Calcutta newspaper, and he left entirely of his own

accord. (Cheers.) Before finishing I should like to urge those Bengali gentlemen who were present at our last meeting, who were twitted by some gentlemen with not being so strong as the Afridis or other races, not to be offended at the observation. We cannot all be athletes. If the whole population of India were Afridis, it would be very difficult to govern them, and very difficult to collect any revenue. (Laughter.) It is the good fortune of India that her people number a great many different races of different qualities, with their respective merits. I have only now to declare the proceedings concluded.

On the motion of Mr. WILLIAM TAYLER (late Commissioner of Patna) a vote of thanks was unanimously accorded to Lord Stanley of Alderley for presiding.

Mr. C. W. ARATHOON proposed a vote of thanks to Mr. Elliot for his admirable paper. Mr. Elliot had lectured at the special request of the Council, who were particularly desirous that he should do so, owing to his personal and practical knowledge of India, but more so to the liberal views he entertained on all matters connected with that country. Views which he had on several occasions expressed before this Association and elsewhere; and it is no doubt very gratifying to the Council to have heard almost every speaker remark on the moderate and dispassionate way in which Mr. Elliot had treated the subject. Further, it is due to Mr. Elliot to say that he had at great personal inconvenience come up from Scotland on both occasions to lecture. Mr. Arathoon added that after the discussions that had taken place on Mr. Elliot's and Mr. Keene's papers the subject of the Indian Criminal Jurisdiction Bill had now been put before the public with all the arguments on both sides, which was the work this Association set itself to do.

The motion was seconded and carried by acclamation, and the meeting separated, after a sitting of nearly three hours and a half.



# JOURNAL

OF THE

## EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

THE POONA RAIYAT'S BANK: A PRACTICAL EXPERIMENT.  
PAPER BY SIR WILLIAM WEDDERBURN, BART.  
READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON WEDNESDAY, JULY 4, 1883.

THE RIGHT HONBLE. JOHN BRIGHT, M.P.,  
PRESIDED.

A MEETING of the members and friends of the East India Association was held on Wednesday afternoon, July 4, 1883, in the Lower Hall, Exeter Hall, for the purpose of considering a paper by Sir William Wedderburn, Bart., entitled "The Poona Raiyat's Bank: a Practical Experiment."

The Right Honble. Mr. JOHN BRIGHT, M.P., occupied the chair, and amongst those present were the following:—Lord Reay; Lord Stanley of Alderley; Sir George Birdwood, K.T.C.S.I., M.N.; Sir James and Lady Brind; Sir James Caird, K.C.B.; Sir George Campbell, K.C.S.I., M.P.; General Sir Orfeur Cavenagh, K.C.S.I.; Lady Gregory; Hon. Louis Hoop; Lieut.-General H. St. Clair Wilkins, R.E.; Major-General W. W. Anderson; Major-General G. Burn; Major-General Man; Major-General W. F. Nuthall; Major-General E. J. Rickards; Colonel G. Battyo; Colonel B. G. Daniels (of Washington, U.S.A.); Colonel Evelegh; Colonel T. L. Jameson; Colonel R. M. Maedonald; Colonel T. P. B. Walsh; Lieut.-Colonel Dickson; Lieut.-Colonel P. T. French; Major Evans Bell; Captain E. A. Campbell; Captain W. C. Palmer; Mr. R. H. W. Dnnlop, C.B.; Mr. H. G. Keene, C.I.E.; Mr. Roper Lothbridge, C.S.I.; Mr. T. H. Thornton, C.B.; Mr. J. W. Barclay, M.P.; Mr. James Cropper, M.P.; Mr. Samuel Smith, M.P.; Dr. Vincent Ambler; Surgeon-General Balfour; Dr. M. D. Makuna; Dr. Nash;

No. 5.—VOL. XV.



Dr. Paton; Dr. D. H. Small; Rev. Bernard Bryan; Rev. George Brnson; Rev. James Iaryne; Rev. Andrew Lns; Rev. A. McLaglen; Mr. Aziz Ahmad; Mr. E. Alexandor; Mr. J. G. Alexander; Mr. Abdool Alim; Mr. P. W. Amcs; Mr. E. Appellant; Mr. A. Arathoon; Mr. C. W. Arathoon; Mr. and Mrs. G. Bain; Mr. J. R. Bain; Mr. J. A. Baines; Mr. Bannerjee; Mr. J. N. Banerjei; Mr. J. A. Barringer; Mr. T. Beck; Mr. Salig Ram Bias; Mr. E. W. Bobart; Mr. H. B. Boswell; Mr. A. Brodie; Mr. E. G. Brown; Mr. G. Buchanan; Mirza Peer Bukhsh; Mr. James Butcher; Mr. Dadabhoy Byramjee; Mr. D. D. Cama; Mr. E. B. Carroll; Mr. and Mrs. F. S. Chapman; Mr. A. Chatterjee; Miss Cbesson; Mr. Danby Christopher; Mrs. and Miss Christopher; Mr. W. Clarko; Mr. D. R. Colah; Mr. C. Cole; Mr. R. M. H. Cook; Mr. W. Crowe; Mr. John Dacosta; Mr. S. R. Das; Mr. Krisbналal Datti; Mr. P. N. Datta; Mr. C. Davison; Mr. H. S. C. Dias; Mr. R. Dods; Mr. J. H. Down; Mrs. Dronitt; Mr. K. B. Dutt; Mr. M. L. Dutt; Mr. A. Elphinston; Mr. Gilbert Fario (Sonth Africa); Mr. J. G. Ferrand; Mr. T. Finlayson; Mr. W. Fleming (Cape Colony); Mr. G. Foggo; Mr. G. Forbes; Mr. R. E. Forrest; Mr. John Forster; Mr. F. W. Fox; Mr. Jehanger Dorabhoy Framje; Mr. H. W. Freeland; Mr. Lal Mohun Ghose; Mr. E. J. W. Gibb; Mr. G. S. Goad; Mr. J. P. Goodridge; Mrs. Graham; Mr. A. H. Grant; Mr. E. F. Harrison; Miss Heaton; Mr. T. T. Hobson; Mr. R. Hoole; Mr. A. C. Houston; Mr. A. Howell; Mr. and Mrs. J. Hntton; Mr. H. M. Hyndman; Mr. Moolvi Ibrahim; Mr. Abdool Jalil; Mr. John Jones; Mr. J. J. Kayo; Mr. and Mrs. Seymour Keay; Mr. F. Kidd; Mr. E. Kimber; Mr. Pandit Shyamaji Krishnavaroo; Mr. M. Kumruddin; Mrs. Rowley Lambert; Mr. J. Lawless; Mr. Naroncra Prasanna Liuha; Mr. J. M. Maclean; Mr. C. McIntosh; Mr. Abdool Majid; Mr. W. S. B. McLaren; Mr. T. J. Molvillo; Miss Mochler; Mr. J. E. Modi; Mr. J. J. Moir; Mrs. Mortlock; Mr. N. J. Moolla; Mr. H. R. Motabhoy; Mr. M. W. Mott; Mr. J. Mylne; Mr. G. Palet; Mr. F. F. Palmer; Mr. W. S. Plouden; Mr. E. Pratt; Mr. D. N. Ray; Mr. W. J. Read; Mr. J. Ripley; Mr. J. Barr Robertson; Mr. and Mrs. Alexander Rogers; Mr. D. N. Roy; Mr. S. Roy; Mr. R. D. Rusden; Mr. and Mrs. C. S. Salmon; Mr. S. K. Sanjana; Mr. R. Sen; Mr. J. A. Sett; Mr. A. K. Settna; Mr. John Shaw (Madras); Mr. J. D. Shaw; Mr. J. D. Smith; Mr. H. K. Smith; Mr. Shore Smith; Mr. Sonthey; Mr. A. Stewart; Mr. R. B. Swinton; Mr. Hamid Aliand Tahriruddin; Mr. S. L. Taylor; Mr. C. B. Templer; Mr. W. Tennon; Mr. Theodore Thomas; Mr. W. Thomson; Mr. J. R. Thnsfield; Mr. M. J. Walhouse; Mr. J. W. Walker, B.O.C.S.; Mr. G. Whale; Mr. W. Whitto; Mr. S. Willeocks;

Miss Williams; Mr. D. Wilson; Mr. W. Carlton Wood; Mr. and Mrs. W. Martin Wood; Mr. P. Woolner, R.A.; Mr. W. Hamilton Burn (Secretary); &c.; &c.

In opening the proceedings the CHAIRMAN said: Ladies and Gentlemen,—I need not enter into any apology or explanation for my being here to-day and for taking the bold step of occupying the chair at this interesting meeting. It is known to many here that I have for a very long time taken a great interest in Indian affairs. Twenty-five or thirty years ago I devoted very much time and attention to them in connection with changes in the Indian Government and the legislation I thought necessary to the advantage of that country. (Cheers.) I feel that I ought to be here, not so much to teach as to learn, because there are on the platform and in the meeting many persons who have spent years in India, and who know infinitely more about it than I can pretend to know, notwithstanding much conversation on the subject, and a good deal of reading. It is satisfactory to feel that we are here to discuss a question which has nothing in it that can excite strong controversy or anything in the nature of passion, that we are not discussing the form in which Indian Government should be carried on or the policy of the Government, whether of the present Governor-General or of his predecessor, or the possible policy of any future successor he may have. We do not require to discuss any of the questions which are now in controversy as between the covenanted and the uncovenanted services, or between the Natives and the Europeans in India. The question we have to consider is one of the greatest possible moment. At the same time happily it is one which need not and I think cannot excite any very strong difference of opinion. Great as is its importance at the present moment, every day its importance is increasing, and if now it should be neglected the time must come before long when it will force itself upon the opinion and the policy of the Government of India and the Government at home. It is known to everybody who has been in India and to everybody in this country who knows anything about India, that the population of that vast country is to a larger extent than in most other countries agricultural. It is estimated that no fewer than 80 out of every 100 persons living in India are engaged more or less directly in its agriculture; and it is said that if we were to take every 100 persons connected with Indian agriculture—the peasantry or ryots or cultivators, or whatever we may call them—we should discover that there are about 20 out of every 100 who are in a condition to carry out their operations as farmers without assistance from Bankers,

or from other persons who lend money, that there are probably a larger number, something like 30 out of every 100, who are so hopelessly poor that it would seem to me absolutely impossible that they should borrow or ever be able to repay; and it may be said that the remaining 50 out of every 100 are in such a position that it may be judicious under some circumstances to lend them money—that is, to lend them assisting capital, with a fair chance that the loan would in some reasonable time be repaid. If that be anything like a fair representation of the condition of the agricultural population the question seems to be, Can anything be done to assist these 50 out of every 100, to whom loans might be made with the expectation that that assistance would greatly improve their agriculture and increase the produce of their farms, increase also all comforts of their families, and that there would be a fair probability that the loans with a reasonable interest might be repaid? The fact, if it be a fact, that 80 per cent. of the agricultural population require to borrow is an astounding and distressing fact. How comes it that 30 per cent. are so hopelessly poor that you can scarcely expect to improve their condition by lending to them, and that 50 per cent. require loans and require them with a fair chance of their being able at some time to repay the loans? It would seem that the vast bulk of the agricultural population is in a condition very unsatisfactory. How it arises I know not. I am not here to explain it: probably some gentleman more acquainted with the country can give an explanation which I dare not venture upon. I suppose in some cases the taxes have been too heavy and that the ordinary reason why people in every country, or some people, are poor, is that they are ignorant with regard to the occupation in which they are engaged, and that they are imprudent in some transactions into which they enter. Of course bad seasons might bring this state of things much more home to the people, but I do not understand that this state of things arises from bad seasons just at this moment, but that it is rather the common condition of the agricultural population in India. Now one thing is surprising to any person connected with business in England; it is, to be told that these small cultivators in India if they borrow money from the Native Bankers of the district, pay a rate of interest which in this country we should feel to be altogether destructive to any industry; that 12 per cent. is a very moderate rate of interest indeed; that some pay 24 per cent., and that some—I do not know whether they pay, but some undertake or engage to pay as much perhaps as 30 or 36 per cent. Well, it is obvious to everyone who knows anything of these matters that capital employed in agriculture in any country must be absolutely unprofitable to the

cultivator if he has to pay a rate of interest even of the middle sum which I have mentioned, that is, 24 per cent. Now the object of the meeting to-day is to discuss a scheme which purposes to offer to the Indian cultivator a reasonable amount of loan for a reasonable interest and to improve the mode in which the interest is annually collected, so that it should not be necessary to go through the Courts and to absolutely ruin and beggar a man who finds he is behind in the regular payment of his interest. There is one very curious and, to me, interesting feature in the case as it will be submitted to us, and that is, that the Bankers themselves who lend money at these extreme rates of interest are themselves sensible that it would be an advantage to them if the rate of interest was lower and if the security was better, and if the interest would be collected in some manner which would cause less suffering to the borrower and to the tenant, and the Bankers themselves are willing to contribute to a large extent funds which shall enable some Banking system to be established which shall give this great relief to the native population of India. (Cheers.) I am not at all sure that the Bankers would be all of this opinion or that they would be willing or able to subscribe for the funds at the Banks such as it might be necessary to have in order to carry on the work which is intended. It would be a very great advantage to India if this system could be established in such a manner that confidence in its solidity and security should be created in England, and that the managers of these Loan Societies or Banks (Loan Societies is perhaps the better name), should be able to secure additional funds in this country invested by capitalists here in order that it might have power more widely and extensively, and completely to carry out a system which seems likely, not only in my view, but in the view of many much more competent judges than I am, to be of immense advantage to the present cultivators in India. (Hear, hear.) Now the relief that would be offered to the ryots by a scheme of this kind is one that would give them great freedom from the grip—shall I term it—of the money-lender whose rate of interest is so high that it is almost, and in many cases quite, impossible that it should be paid. Whilst it set them free from this extreme pressure it would give the ryots hope in regard to the future and every man with his little farm could cultivate it with more resolution and, I don't not, with more success, if he had the confidence or the fair hope that his industry would be fairly repaid. A scheme something like this has been tried in some European countries and, I believe, has succeeded, so as to give fair expectation that we may look for its success in India. The experiment which is now about to be proposed

is one, not of a great scheme all over the country or over any considerable portion of it, but with regard to a particular district, so that the experiment may be tried at an early period and fairly worked, and that at no very remote period the managers of it would be able to state to the people of India, and to the Bankers all over India, and to persons in England who have money for the purpose of investment what the result has been. If the result is favourable in this district in which the experiment is first to be tried, of course the effect of it would be great in India and great here, for there are many persons there and here who have money to invest, and just now everybody who has money—(and just now such persons are in a minority everywhere)—feels a very great difficulty indeed in obtaining what he considers any fair interest for the capital which he has to invest. The political prospect in India would be greatly improved if such a scheme as this could succeed because if you have a vast population in a state of constant distress they must be in a state of constant discontent of some kind. (Hear, hear.) If it were possible by some large and widely extended scheme of this kind to bring comfort into the homes of the cultivators there can be no doubt that with better prospects and greater comfort and a greater degree of happiness in their families there would be a greater degree of contentment, and they would look up with somewhat more of satisfaction to the Government who controls their affairs. (Cheers.) As to England I need not tell you how much advantage it would be to us here. I believe all over the country, but especially in the county from which I come and in the trade with which I have been all my life to some considerable extent connected. At present our trade with India is, if you look at it in the sum, very large, but if you look at it as compared with the vast population of the Indian Empire it is but small. Everything that you do and that is done to add to the comfort and the independence of the cultivating population of India, the investment of money there through their Bankers, the investment of money from England under these associations, there can be no doubt that everything of that sort that is done would tend to increase the consumption in that country of all the manufactures of this country which it is customary to export there. Therefore we as a people here, with our population increasing, seeking for employment, wishing for good wages, and looking for comfort in their homes, must see that the question I am referring to and that is about to be discussed here, is indirectly to a very large extent important for us, and it should enable us, or at least it should induce us if possible, to give a favourable consideration to any rational, any just, any solid scheme by which the condition of the

Indian population can be improved. (Cheers.) This meeting, though not composed of thousands as many meetings in this country are, is notwithstanding very important, I conclude, and very influential as respects the particular question which is to be brought before us. If there be one place in the world and one people in the world whose interests we are bound to consider, it appears to me that country is India and that people is the population of India. (Cheers.) Mostly by the policy of our fathers this vast empire with its countless population is placed under the government of England. May it remain so for a long period, but, be it long or be it short, we at least who have not the responsibility of conquest and do not look for further acquisitions of territory there—(hear, hear)—we have a great and a solemn duty laid upon us, a duty in which our own interests are concerned just as much as the interests of the population of India. If there has been wrong done to the people of that empire in past times—and doubtless there has been much wrong—let us in our day and generation, at least if it be possible, make such compensation as is in our power by dealing out to them in every form which comes before us that mercy and that justice which a distant and a conquered people have a right to demand from us. (Cheers.) I have now to call upon Sir William Wedderburn to read the paper he has prepared for us, and of which I have given you but the faintest outline. Judging from my view of the paper itself I think you will hear it with very great interest. (Cheers.)

Sir WILLIAM WEDDERBURN, Bart., then read the following:—

I propose to-day to lay before you a statement of what has been done up to date towards establishing Agricultural Banks in India; and my object in doing so is to ask for your help in obtaining for the undertaking the support of the English public. We may safely assume that all who come to a meeting of this Association are well-wishers of India. And on the present occasion I am the more encouraged to count upon your active sympathy because of my past experience when discussing this question of Agricultural Banks. As regards no other proposal have I found so general an unanimity among people of various shades of opinion. All agree that the financial position of the Indian raiyat is not what it ought to be, and might be; and all agree that arrangements are urgently required for supplying him, on reasonable terms, with the capital without which cultivation cannot be carried on. I shall therefore, without further preface, proceed to consider the question in its business aspects, setting forth the facts of the case and the considerations which will I think satisfy

the investing public that the undertaking rests upon a good commercial basis. Though land banks have prospered in other countries they are new to India. We have therefore felt, in approaching the present undertaking, that the first thing to be done is to acquire a certain amount of local and special experience by observing the actual working of such an institution in India. And this it is proposed to do by starting an experimental bank, under good local management, upon a limited scale and within a limited area. For various reasons the Poona District has been selected for the experiment; and the system followed will be that which has been found most successful in practice elsewhere, modifications being gradually introduced as experience may suggest. When trustworthy facts and figures have thus been collected, we shall know what rocks and shoals are most to be avoided, and we shall be in a position to decide in what direction, if any, a business of this kind can be safely and profitably extended.

In order to make the situation clear I will deal with the subject in the following order:—(1) I will give a brief sketch of the Dekkhan raiyat's position, with special reference to his dependence on the money-lender, and his financial difficulties in consequence of the exorbitant rate of interest he now pays. Next (2) we may notice what has been done in other countries, Germany, Italy, Australia, Egypt, in the matter of Agricultural Banks. I will then (3) show how it is proposed to apply a similar system in the case of the Poona experiment. And in conclusion a few observations may be added as to the advantages and disadvantages of India as a field for enterprise of the present kind. In dealing with these several topics I will be as brief as possible, being anxious to leave ample time for discussion, and for the criticisms and suggestions with which I trust we may be favoured.

(1) *The raiyat's dependence on the money-lender.*—In order properly to realize the important functions which capital has to perform in the rural economy of India, it is necessary to have a clear view of the peculiar position of the cultivator. In the Dekkhan the arrangement is a sort of partnership between the raiyat, who is a peasant proprietor, on the one part; and the village sankar, who is the local capitalist, on the other. The raiyat owns the land and the cattle, and supplies the labour by himself and his family. On the other hand the sankar maintains the whole party until the harvest becomes available, and provides cash to pay the Government assessment and for incidental expenses, as when a bullock dies or when a marriage has to be celebrated. He also generally supplies the seed corn. The crop thus obtained is shared between them; and this arrangement is a fair one, seeing that any profit that may accrue is the result of the

raiayat's labour and the saukar's capital. To use the words of Lord Cranbrook, the existence of the money-lender in the village polity is as essential as that of the ploughman. Now this customary dependence of the raiyat upon the village saukar must be constantly borne in mind when dealing with any question of the present kind. For the connection is not a temporary or exceptional one produced by accidental causes, but is permanent and necessary, the co-operation of the money-lender being to the raiyat one of the conditions of his existence. And this fact was strongly insisted on by the speakers in the great debate at Simla in 1879, on the Dekkhan Agriculturists' Relief Act; Sir John Strachey pointing out that "money-lenders are obviously as necessary to the Indian agriculturist as the seed which he sows, or as the rain which falls from heaven to water his fields." There is, in fact, no doubt that the raiyat needs the saukar's help. But it is always possible that this help may be purchased too dear; that in the division of the partnership profits capital may get too much and labour nothing at all. And this will be the case if the raiyat pays a higher rate of the interest than the profits of cultivation warrant. Now in the Dekkhan the ordinary monthly rates of interest are 1, 2, and 3 per cent., according to the credit of the borrower; that is, the raiyat with good credit can get money at 12 per cent. per annum; the man of middling condition pays 24 per cent.; while 36 per cent. and even more is demanded from the man who needs money badly. For the average borrower we may take 24 per cent. as the rate. And it is quite evident that no system of agriculture can pay if burdened with such a charge upon the capital employed. What would an English farmer say to such a drain upon his resources? In order to meet punctually a charge of 24 per cent. the profits of a business must be not only abundant but also regular. And the profits of cultivation cannot be regular when they depend upon the Dekkhan rainfall, which is proverbially uncertain. As yet irrigation has been but little extended; and as regards unirrigated land we are told on authority that the cultivator "hardly gets a full crop once in three years." The return cannot therefore be regular. Again, compound interest mounts up if, owing to bad seasons, payments fall into arrears. And finally, when the debtor gets into serious difficulty he is sued in the civil court which, as we all know, is an expensive process. For a claim of Rs. 100 court fees of sorts amount to about Rs. 25, and there are besides heavy incidental costs, all of which ultimately fall upon the debtor. Under these circumstances we cannot wonder that one peasant after another becomes embarrassed, and that having



once stumbled he finds it hard to get upon his feet again. Indeed the wonder is how the raiyat can maintain himself at all. And that he does so shows how bravely he carries on the struggle, and how deeply he is rooted in the soil. May we not hope great things from him if he were less heavily weighted, if for example he could get his capital at 9 per cent., instead of at 24 per cent., with costs and compound interest in addition? And indeed when we come to ask the question, Why should the Indian peasant be thus left unaided to carry on so heart-breaking a struggle, there is no good answer to be given. In former times when each Indian village was an isolated community, when all the villagers had to draw their loans from the slender store of one local lender, it might be reasonable that they should pay 24 per cent. But it is no longer reasonable now, when communications have been opened up, and when the Indian landholder can have access to the accumulated capital which in Europe is anxiously seeking channels for safe and profitable investment. It is as though on the one hand we had rich but thirsty soil: on the other hand vast stores of fertilizing water. What we need is a channel of communication in order to benefit all parties. The problem is a simple one. All that is wanted is a little enterprise and a little organization.

(2) *Agricultural Banks in other countries.*—Now when we propose to establish an organization we naturally look to see what has been done elsewhere under similar circumstances. And fortunately we have examples before us in Europe of popular land banks which have been in operation for many years and are still spreading with the greatest benefit to all concerned. Land banks, under the name of mortgage debenture associations, were first founded in Prussia by Frederic the Great, and they have attained special development among the peasant proprietors in the Rhine provinces and in Italy. The details of the system and an account of the land credit institutions throughout the continent will be found in a valuable blue book published in 1870, and entitled "Reports from Her Majesty's Representatives respecting the tenure of land in the several countries of Europe." For convenience of reference I have collected this information in a small pamphlet "*Agricultural Banks for India*." Success appears to have invariably attended these financial undertakings. Even in Turkey the system seems to have worked well in spite of the ruined condition of the peasantry. Mr. Consul Blunt, speaking of a land bank in the vilayet of Adrianople, reports that "the agricultural interests of the country derive great advantages from this institution; the custom, so prevalent among the small farmers, of borrowing money at exorbitant rates of interest in anti-

"cipation of their crops, which ultimately placed them at the mercy of a host of relentless usurers, is fast giving way before the facilities offered by this institution, which enables the peasant proprietor to borrow advances at 12 per cent. per annum on very moderate security. The Trustees of these 'National Borrowing Funds' propose lowering the rate of interest to 8 per cent. next year. It is an undisputed fact that these funds have very much contributed to place the peasant farmers in some districts on a solvent footing; many of them have not only paid off their old debts but have also improved their properties." These are the results we should gladly see produced in India by a similar system; and, as a nation, we are surely in honour bound not to be behind the Turk in a matter of this kind. I now hold in my hand copy of a paper, "*Do l'organisation du crédit agricole*," recently read by the eminent economist, M. de Laveleye, before the Belgian Agricultural Congress. In this paper he brings up to date the facts and figures relating to land banks, and specially commends the "*Raiffeisen Agricultural Loan Unions*" of Germany, co-operative associations of peasant proprietors which sometimes comprise whole villages and districts. Next to Germany comes Italy in the development of these popular land banks. In 1880 they were 133 in number, the subscribed capital being about 42½ millions of francs. Their loans had then reached 122 millions, and they had 100 millions of deposits. In the Australian Colonies the system of loan companies seems to have specially prospered, yielding dividends of from 15 to 25 per cent. to the shareholders. The experience in Egypt is also encouraging, especially as regards India. For there two companies, one English and one French, have been working with considerable success; and the position of the Egyptian cultivator bears a close analogy to that of the Indian raiyat.\* As regards the method of doing business, it will of course be understood that all these institutions carry on their loan operations with borrowed money. The secret indeed of their financial success depends upon keeping down the amount of their own paid-up capital upon which a dividend has to be earned, while making their loans to landholders out of capital borrowed from the general public at low rates of interest.

\* The British Consul at Alexandria in reporting on the trade of Egypt remarks upon the good effect of these institutions. He had occasion to note that there had been an increase of about 80 per cent. in the imports of machinery, chiefly from Great Britain. This increase Mr. Cookson ascribes entirely to purchasers of agricultural machines by the fellahs through the agency of the "*Crédit Foncier Egyptien*" and other banking establishments. These institutions supply the Egyptian peasant cultivators with the capital they need, and in the opinion of Mr. Cookson, had done much to relieve them "from a state of almost hopeless misery."

In this way a small margin of profit on each transaction will, upon a large business, yield a handsome dividend to the shareholders. The methods by which the required capital is obtained by banks and credit companies are various. A large amount is obtained in the form of deposits, either at call or for fixed periods. But a still more convenient mode of raising capital is by the issue of mortgage debentures, a system originally borrowed from the Prussian institutions already referred to, and in England regulated by the Mortgage Debenture Acts of 1865 and 1870. As some present may not be familiar with the process, I will briefly explain how the system is worked. Let us suppose that A, a landholder, wishes to borrow £1000. He goes to the Credit Company and executes a mortgage on his estate, and the company advances him the £1000 on being satisfied that his title is good and that the value of the land exceeds at least by one-third the amount advanced. Similarly B and C execute mortgages for the sums they require, say £2000 each. The law now allows the company to deposit these mortgages with the Registrar of the Government Offices of Land Registry, and to issue mortgage debentures, say 100 of £50 each, to an amount not exceeding the sum total, in this case £5000, of the mortgages of A, B, and C; each of these £50 debentures being charged not only on the aggregate estates of A, B, and C, but also upon the whole property of the company, including the reserve fund and unpaid subscribed capital. The debentures are issued for fixed periods, and are transferable by endorsement; they carry interest, payable half-yearly, by coupons, and summary powers are secured to the holder for the immediate recovery of all arrears of principal or interest. Such mortgage debentures being a very convenient form of investment, are readily taken up by insurance companies, by trustees, and by private investors; and, being secured upon the whole property of the company, they are placed on the market at a rate of interest below that which is demanded from the private borrower. The company thus occupies the position of a credit institution between the landholder who wishes to improve his estate, and the general public who wish a safe investment without the trouble of inquiring into value and titles. And the profit for these good offices consists of the difference in the rates of interest; A, B, and C borrowing, say, at 5 per cent., while M and N, the investors, are willing to lend to the company, say, at 4 per cent. As regards the commercial advantages to the Company, we may suppose, by way of illustration, that the subscribed capital is £1,000,000, £100,000 being paid up. If the Company borrows 2½ millions on mortgage debentures at 4 per cent. and lends this amount at 5 per cent., these figures will represent a gross profit for the shareholders of

£25,000 per annum, equal to 25 per cent. upon the paid up capital of £100,000.

(3) *The history of the Poona experiment.*—For nearly half a century the relations of the raiyat to the saukar have exercised the mind of the Bombay Government. It was seen on the one hand that the raiyat could not exist without the money-lender, and on the other hand, that by constant borrowing he was falling into hopeless debt. The problem was how to supply him with capital without the loan becoming the cause of his ruin. As long as the private lender is left uncontrolled he evidently goes on lending as long as it is profitable to himself, regardless of the consequences to his debtor. It became therefore the idea of the raiyat's friends to organize a financial institution which should deal on some recognized principles compatible with the raiyat's well-being, instead of leaving him to the tender mercies of hungry and competing creditors. The raiyat is in India the goose which lays the golden eggs: a good and patient bird which will lay enough for all if properly cared for. The object is not to let him be torn to pieces in a struggle for his flesh and his feathers. In 1860 a proposal was brought forward by Mr. Jacob of the Bombay Civil Service to establish agricultural banks in the Dekkhan, and upon the correspondence the following resolution was recorded in its favour by the Government of Lord Elphinstone:—"In all countries where landed property is much sub-divided, the majority of the peasant proprietors are overwhelmed with debt, and it is notorious that in India the ryots are cheated and oppressed by the money-lenders. His Lordship in Council therefore cannot but think that any loan bank which advances money to the ryots upon fair principles and at a reasonable rate of interest should be encouraged, as tending to keep down undue exactions, and as furnishing an industrious ryot with means to dig a well, or otherwise improve his land." Nothing practical however was then done. And the silent struggle between the raiyat and the saukar did not receive special notice until the subject was forced upon the public attention by the serious agrarian disturbances of 1875, when the chronic antagonism of the classes broke into open hostility. The Dekkhan Riots' Commission was then appointed. And in 1879 their report resulted in the legislation known as Mr. Hope's Act; the chief feature of which was to "disarm" the creditor, by taking from him the power of recovering debt by imprisoning his debtor and selling his land in execution. Now though these provisions at once put a stop to the severities of creditors, it cannot be said that they do anything directly

towards supplying cheap capital to the raiyat. On the contrary, by damaging his credit with the capitalist, they tend directly to increase the difficulty of getting loans on favourable terms. Indirectly, however, the Act has no doubt done something towards a solution of the problem, by driving the native capitalists to devise some means by which their business may be carried on under the altered conditions; by inducing them to join the movement for the establishment of a central institution to be carried on upon sound principles and under first-class management. In this idea they were encouraged by those who took an interest in the scheme on public grounds. And accordingly in March, 1881, a rough project for an agricultural bank was drawn up under the auspices of some leading capitalists in Bombay; and the Hon. Mr. Mandlik undertook to introduce in the Local Council a Bill for its due incorporation, supposing that Government agreed to the concessions which were considered necessary for the success of the scheme. Among the concessions asked for, two of the most important relate to the settlement of the raiyat's old debts, and to the method by which the advances of the bank are to be recovered. It is evident that the bank cannot safely deal with a man oppressed by an incubus of paper debt, even the amount of which is not known, and against whom creditors hold bonds and unexecuted decrees. To make fresh advances under such circumstances would be to put materials into a quicksand. And a settlement of the old debts is absolutely necessary before we can have a firm foundation upon which a solid business can be built up. Such a settlement might perhaps be effected privately by gradually buying up the debts, but this would be a difficult and tedious matter, and besides claims might be held back. Accordingly it was represented to Government that this settlement would best be effected by means of a commission acting under legislative authority. And it was also pointed out that such a liquidation formed part of the original scheme of the Hon. Mr. Hope for the relief of the distressed districts. I am glad to say that the Government of India have responded in the most liberal spirit to these representations; agreeing to carry out a voluntary liquidation by way of experiment in one division of a Dekkhan district in the way proposed. They have also agreed to advance the cash necessary to compromise the claims, the amount to be collected from the raiyats in moderate instalments over a term of years. A similar liberal spirit has been shown as regards the collection of the bank's future advances. It is in the interest of all parties, the raiyat, the bank, and the Government, that the process of recovering agricultural advances should be effective, cheap, and expeditious. Hitherto in

case of default they have been collected through the Civil Courts. But experience shows that this method involves the maximum of friction with the minimum of result. Government have therefore agreed that the bank's advances should be treated as advances made under the Land Improvements Act, and recovered when necessary through the revenue officers of the district and village, instead of by the machinery of the Courts and bailiffs. This is the system followed in Germany where the bank's advances are recovered with the land tax. And it seems a reasonable one, as the bank will in fact be carrying out, through private enterprise, a duty which those Acts seek to perform by departmental agency at the expense of the State. The policy of Government on these important questions was announced in November last by the Hon. Major Baring in his speech on the Bill to amend the Land Improvements Act. He on that occasion explained that Government wished as far as possible to improve the system under which agricultural advances from the Treasury were made and recovered under the Act, but that they hoped much more from the encouragement of private enterprise. He then specially referred to Agricultural Banks, and stated the concessions above set forth. This very encouraging announcement naturally gave great heart to those interested in the scheme. Meetings were held at Poona, and a committee formed; and on the 23rd of November last an influential deputation of leading capitalists waited on H.E. Sir James Fergusson at Government House, and set forth in some detail the arrangements which according to their experience would be the best in order to establish an experimental bank in the Poona District. They proposed that the experiment should be tried in the Purandar Taluka or subdivision, and that the capital of the company should be Rs. 10,00,000 in shares of Rs. 500 each. In reply to this address H.E. expressed his sympathy with the movement, and mentioned that he had personal experience of similar institutions in the Australian Colonies, which had been very successful. He referred specially to one in New Zealand whose working capital was three millions sterling, which had paid a dividend of 15 per cent. for many years, and had accumulated a reserve fund of £300,000. Subsequently to this interview a formal despatch, dated 5th December last, was received by the Bombay Government from the Government of India, and in this are set forth in full the views indicated in the speech of the Hon. Major Baring. A copy of this despatch was supplied to the Poona Committee and upon this they have given a further detailed statement. These important documents are too lengthy for me to attempt to summarize them within the limits of the present paper. But I

have had them printed in a convenient form, and shall be happy to supply copies to those interested in the undertaking.

We have now dealt with the three points indicated at the commencement of this paper—(1) the raiyat's dependence on the money-lender; (2) Agricultural Banks in Europe and elsewhere; and (3) the history of the Poona experiment. And there only remains to make a few remarks as to the general prospects of the scheme. I will therefore conclude by noting what appear to be the special advantages of India as a field for such an enterprise. I will also candidly admit the special difficulties; pointing out how it is proposed that these should be met. Among the leading advantages in India I would mention (a) the large margin of profit from cultivation when capital provides irrigation and manure; (b) the merits of the raiyat as an honest debtor; (c) the existence of a skilled agency for money-lending; and (d) the favourable attitude of Government. (a) As regards the possible profits of Indian agriculture under favourable circumstances, I only wish all present could witness the almost magical transformation effected round the city of Poona by means of water and manure. Ten years ago this land produced only a ragged crop of millet, worth perhaps Rs. 5 or 10 an acre, and dependent for its existence on the periodical rains. Now the same land is covered with a magnificent crop of sugar-cane, and when I left Poona the other day it was being sold as it stood on the ground for about Rs. 500 an acre. This is simply the result of capital, the landowners in the immediate vicinity of Poona being men of some means who could afford to take water from Fife Tank and "pondrette" from the Municipality. No doubt the price I have mentioned was exceptionally high, the cane being retailed in the city by way of a sweet-meat. Such a price could not of course be maintained if sugar cultivation was largely extended in the locality. But I mention the example as coming under my personal observation. Also under ordinary circumstances the net profits of sugar-cane are estimated at from £10 to £20 an acre, the cost of cultivation being about Rs. 100 per acre, while the crop does not sell for less than Rs. 200 or 300. Nor is sugar-cane the only profitable garden produce. In the neighbourhood of Poona we find extensive spice plantations and vineyards with orchards of mangoes, plantains, and oranges. The raiyat is also becoming a considerable grower of potatoes, carrots, and so forth. Indeed throughout India we find that with capital at his back the raiyat can produce any crop for which there is a foreign demand—cotton, wheat, spices, tobacco, jute, oil-seeds. For it is the characteristic of India, with her rich soil, varied

climate, and skilful "petite culture," that she can produce of the best quality whatever is demanded by foreign trade. Whether it be opium or indigo; rice or tea; coffee, cotton, or tobacco; if she has only time India will always place her products in the first rank among the markets of the world. My proposition therefore is, that in no other country does capital employed upon land give so rich and so certain a return; and that the difference in value between "dry-crop" and "garden," between a precarious crop of millet and an assured crop of sugar-cane, provides an ample margin upon which the capitalist can rely for the safety of his advances. (b) We next come to the merits of the raiyat as an honest debtor. He is in fact a model paymaster; being filled with a religious desire to pay his debts, not only those incurred by himself but also those incurred by his father and even remoter ancestors. To leave ancestral debts unpaid is in his eyes a shameful thing; it is as though he refused to his father due funeral rites. This strong religious sentiment (may it never grow less!) is indeed the sheet-anchor of the raiyat's credit. Moreover he is by no means wanting in shrewdness, and he feels that for temporal as well as spiritual purposes it would be fatal to repudiate his debts; for who would then be found to trust him? Hence his steady refusal to avail himself of any insolvency law. For example, in the Ahmednagar District, with a rural population of nearly three quarters of a million, not one raiyat, out of the thousands hopelessly involved, was found willing to accept freedom under the special insolvency clauses of the Dekkhan Agriculturists' Relief Act. Two or three were indeed declared insolvents by the Courts, but this supposed benefit was conferred on them in spite of their protestations and even tears. I have myself often seen instances of the same feeling. I was especially struck on one occasion when a number of leading raiyats, some three or four hundred, had come together to meet me at Sangamner, a local centre of importance in the Ahmednagar District. I asked then how they liked the operation of the Dekkhan Agriculturists' Relief Act, which had then given a sudden check to all process for the recovery of debt. The answer of the principal raiyat who acted as their spokesman was given in two words (Maharatta): "Súkh jhála"—"we are in comfort." He went on to explain that now their creditors could not harass them with decrees and executions; so they paid the Government assessment out of the crop, and ate the rest themselves. He then again repeated the words, "Súkh jhála." This seemed to me a very dangerous state of things, looking to the precarious position of the Dekkhan peasant when unsupported by the money-lender; so I said, "I am glad to hear that you are in comfort.



"But how about the sankar's rupees which you have had? Is it the part of honest men to live in comfort when their debts are unpaid?" To this there was an immediate and unanimous answer in the negative, not only from the spokesman but from all those present. Many of them stood up, saying "No! No! it is not honest. We wish to pay our debts. But we have been oppressed by our creditors, and we do not know how much we really owe them." They then went on to ask that Government should make inquiry and ascertain the true amount of the debts, and whatever that was they would pay it. On this point they were quite vehement, saying: "Allow us and our children dry bread to eat and a cloth to wear, and give everything else to our creditors until our debts are paid." Afterwards they handed me a written proposal to the same effect, which I sent on to Government. I think gentlemen present who have experience of the Indian peasantry will bear me out in saying that a feeling of this kind is very universal, and that the raiyat is an honest debtor who is willing to pay if he has the means. (c) And if on the one hand the raiyat, on account of his hereditary instincts, is a satisfactory debtor; so on the other hand in the hereditary trading class of India we find ready an unrivalled agency for the distribution and collection of loans. At present the actual money-lending business of the Dekkhan is in the hands of native sankars, chiefly Marwadis. These local capitalists thoroughly understand their business; in each village they can tell you to a nicety the means and character of the individual raiyats; and they are very shrewd, patient, and economical in their management. In starting an Agricultural Bank it would be fatal to take up a position of antagonism to this capable and influential class. If it is to be a commercial success a bank must secure their co-operation; bringing them in as shareholders, depositors, agents, and brokers; and making it advantageous for them to join heartily in the scheme, and to bring to the bank a portion of their business connection and good-will. The object is not to subvert or set aside the existing machinery for the distribution of agricultural capital, but to organize and regulate it. And I am glad to say that as regards the Dekkhan Districts we have every reason to be satisfied with the friendly inclination of the local capitalists. Indeed as already shown they have actually taken the initiative, under the guidance of a few native gentlemen of special intelligence and public spirit. At first they were naturally inclined to doubt the effect which a large new money-lending institution would have on their interests. But they are clear-headed practical men, and soon came to see that it was for their advantage to have a share in a bank which would enjoy special privileges from Government. They

also believe that a stimulus will thus be given to the prosperity of the district and to the general trade which is mostly in their hands. I have already described the active steps taken by the Poona Committee; and I understand that about one-half the total capital required has already been offered from the four Dekkhan Districts. On the subject of the facilities for local control and management it is further of importance to note that the bank may rely for efficient help upon the class of Government Pensioners, public servants who have retired after a long term of approved service in the Revenue, Judicial, and other departments. These men are in every way fitted to serve on local boards, from their high character, from the leisure at their command, and from their experience and knowledge of business.

(d) The last point noted is, the favourable attitude of Government. It is an old saying that the English capitalist invests his money in every other country of the world in preference to India; and no doubt the distrust of Indian ventures dates from the old times of John Company, when he did not make private enterprise welcome if it appeared in the persons of "interlopers" and "adventurers." Happily this state of things has long ceased to exist. Yet there still seems to survive in financial circles a certain fear of official jealousy. Thus a couple of years ago a gentleman of large financial experience, and himself a Director of the "Credit Foncier Egyptien," wrote to me as follows regarding the present project: "My impression is, from what you and others have told me, that India has all the conditions requisite for the success of a land bank, provided always it can rely on the support or, at any rate, the 'benevolent neutrality' of the Government." Since this was written the Government of India have declared their policy on the question. And we know that they are prepared to go much further than mere "benevolent neutrality." Recognizing the true interests of the State as the general landlord, they offer to undertakings of this kind an active support, administrative, financial, and legislative. And when we remember how all-pervading is the influence of Government in India we realize how important is the change in the situation when this influence, formerly adverse, is now thrown into the scale in our favour.

When we look upon the other side of the picture, and consider what are the special disadvantages attaching to such an enterprise in India, I do not myself see that, from a banking point of view, there is any real and serious difficulty except that arising from the poverty of the individual raiyat and the want of solidity in the security he is able to offer. He is indeed the absolute proprietor of his holding, subject to the payment of the Government Assessment;

and if this Government demand were either fixed or limited in a definite way, the security would be good ; but this is not the case, the demand being liable after every thirty years to an enhancement which may swallow up the margin of profit upon which the mortgagee depends. The theory no doubt is that the enhancement will not touch improvements made by the holder, and those who support the existing land system maintain that in practice the demand is not increased except on fair and sufficient grounds. But I feel bound to admit that this view of the case is not accepted either by the raiyat himself or by those who would otherwise be willing to invest their savings in land. I make this admission with regret, as being the weak point in the scheme I advocate ; but it cannot be denied that the banker must look with distrust on a security the solidity of which depends upon the discretion of the fiscal authorities. Throughout the Dekkhan the original thirty years' leases have within the last few years been falling in according to the order in which the groups of villages were first settled. Thus in the Purandar Taluka, where our experiment is to be made, some villages have been re-settled, others are due for revision, while others again will become due within the next few years. This prospect naturally brings uncertainty into any calculations regarding the value of the holder's interest. The Poona Committee have therefore asked that in the area of experiment the existing rates should not be disturbed for a period of twenty years from the present date. The difficulty may thus be dealt with by a simple departmental order, and it is hoped that the Local Government will not object to make this moderate concession which those on the spot consider essential in order that the experiment may have a fair trial. The other difficulties which have from time to time been suggested to me while Agricultural Banks in India have been under discussion, appear to have been all considered and disposed of: the raiyat's old encumbrances will be dealt with by a voluntary liquidation under the management of a Statutory Commission; the native money-lenders instead of being hostile have themselves taken a leading part in the movement for the establishment of a bank; the delay, vexation, uncertainty, and expense of collection through the Civil Courts will be replaced by a summary procedure mainly worked by the village officers, and more suited to the simple habits of the raiyat; while instead of the old official obstruction the undertaking will be supported by the hearty good-will of the highest authorities. To conclude, I beg to submit that the facts above set forth show that the undertaking rests on a good commercial basis ; and I would ask

you to encourage the local efforts made in India by securing for the enterprise some active and effectual support in this country.

Sir JAMES CAIRD, K.O.B., said: Mr. Bright, Ladies, and Gentlemen,—I think I need hardly say that this meeting will be ready to accord to Sir William Wedderburn a hearty vote of thanks for the very able and comprehensive and lucid paper which he has read. (Cheers.) I had the pleasure while in India of being in the district where Sir William Wedderburn acted as judge, and was present with him on several occasions when I had an opportunity of meeting with the local bankers, the *saukars* or money-lenders, and therefore of hearing a good deal of their view of this question. And I am glad to be able to say that the remark which has fallen from Sir William Wedderburn upon that point as to the reasonableness with which they view the proposition that he has now placed before us is fully supported by what they stated to me on those occasions. I need hardly repeat what the Chairman has so well stated that no agriculture in the world can prosper with a rate of interest of 24 to 36 per cent. charged upon the capital employed in cultivation. And it is rather remarkable that outside of the country which is purely governed by the British authorities, in the native States of India, they have felt themselves compelled to adopt a plan by which native money-lenders are kept in check, and it is this: that no debt which can be contracted by a cultivator in the native states can ever do more than double itself, and on no occasion can the ryot's land be seized for debt. So, in a rough but practical manner, the native rulers seem to have had the advantage of us in protecting the interests of the natives of India. (Hear, hear.) It may be useful to point out a distinctive feature in regard to the agriculture of India which is dependent on the kind of produce that different parts of the country afford. It is not generally known in this country—and I must confess that I myself when I went to India, though I had not then to learn it entirely for the first time, was very much struck when I saw how broadly it displayed itself—and it is this: that one-third only of the whole population of India live upon rice, and two-thirds of the people of India live upon grains other than rice. Now in the rice districts of India, that is, in the particular district where either the rain-fall is very regular or where the cultivation is in the plains, there is the power of irrigating from the river fed channels, it is very rare that any great difficulty arises amongst the people, in fact as a rule the rice cultivation of India affords a surplus for export every year of about one million tons; but in the other parts of the country where

two-thirds of the population live and gain their food, they do not live upon rice, but upon the grains which are grown in the upland and dryer districts, and it is in those parts of India that the great difficulty arises in seasons of scarcity and drought, and where they have not the power of getting that canal irrigation which the lower districts fed by the rivers can afford. This is a very important point to keep in consideration. The most extensive region of India is that which is exposed to famine and drought, and there the experiment which has just been described by Sir William Wedderburn is very properly to be first initiated and tried. (Hear, hear.) Now Sir William Wedderburn read in his paper a resolution which was made by the Government of Bombay in 1860 with regard to the introduction of a system then mooted by which the interest upon money borrowed should be kept lower. In doing so the Government stated that it would be most important not only that the people should be saved from ruinous exactions, but also that they could thereby receive the means of digging wells or otherwise improving their land. Now upon this large extent of land, two-thirds of the whole surface of India, there is no possible expenditure of money that could be more remunerative than in digging wells, and thereby giving assistance in this particular region where it is so much required. (Cheers.) I stated when I came home from India—it was disputed, but I do not think with much success—that if each cultivator in that district of the country was able to water one-third of his cultivation there would be no risk of danger from drought or famine. I believe that is capable of demonstration. I need not now further insist upon it; but it will show you how very important the introduction of some system such as that which Sir William Wedderburn has described might prove if the people could borrow money at a moderate rate of interest, for providing wells, and thereby saving their crops. In a great part of these dryer districts of India, water is to be found within a distance of from twenty to thirty feet of the surface, and wherever it is so found this would undoubtedly be a very remunerative investment for capital. It is in that direction that safety is to be looked for in view of the increasing population of India. (Cheers.) There is probably no subject which has more alarmed the public mind than this increasing population in India; and I believe that any attempt to extend the area from which increased cultivation can be got will be found to be very much more difficult than by better cultivation of that at present cultivated, because it would interfere with the food for their cattle if that which they at present use for that purpose is diminished, and this increased supply of food would be more certainly obtained by

enabling the people to water their crops where they cannot now do so. (Cheers.) I may advert to one subject which within the last two years has excited considerable attention, and that is the increased supplies of wheat sent from India to this country and to Europe generally. The year before last the quantity increased to a degree very much greater than had ever been seen before; but my impression is that whilst under mere exceptional circumstances Indian wheat did compete successfully with that from America, in that particular season, it was because the American crop that year was one of unusual and extensive failure. But the disadvantage with which Indian wheat must compete with American is that it costs twice as much to bring the wheat from the place of production in India and lay it down here as it does to bring it from America, and that is a disadvantage which will only under very exceptional circumstances enable Indian growers to compete successfully with American wheat. But in the more valuable crops which have been mentioned by Sir Wm. Wedderburn, indigo, cotton, jute, tobacco, rice, tea and coffee, the climate and the soil and the peculiar delicate management by the labourers of India, in my opinion will give them a great and increasing success. These are crops of great value and therefore they will better bear expensive and distant transport, and nothing can exceed the delicacy of manipulation of the Indian labourer in the minute and careful cultivation that is required in these particular crops. It is mere to the extension of such products that I would look than to any continuous competition with the wheat of America. There is, as Sir Wm. Wedderburn pointed out, a risk in the experiment about to be tried, arising from a possible enhancement of rent, which might absorb all the profit that the cultivator had been able through the assistance of the banks to bring in. But that opens up new questions which I must not venture now to enter upon. I believe that as the matter develops itself the difficulties to a great extent will disappear. In his last Budget Speech Major Baring pointed to the development the export trade as one great means of securing a sound basis for Indian finance, which would at the same time promote that diversity of occupation which would conduce so much to the prosperity of the people when freed from extortionate rates of interest. And in naming Major Baring, I must deplore the withdrawal by the Government of that distinguished man—(cheers)—while engaged in carrying out in India with remarkable success the task of lowering the burdens and elevating the condition of her vast population. (Cheers.)

General Sir ORFEUR CAVENAGH, K.C.S.I.: Mr. Chairman,

Ladies, and Gentlemen,—You must all, I am sure, feel deeply indebted to Sir Wm. Wedderburn for the most interesting paper which he has just submitted for our consideration upon a matter which, as your Chairman has pointed out to you, is of such importance that it must soon come to the front. As a nation we are morally bound to use our utmost endeavours to raise the position of those who have been placed under our rule; but independently of that moral responsibility,—on the lower ground of political expediency—we are equally bound, in order to ensure the loyalty of the masses, to strive to render them happy and contented. No one who has served in India for any time and taken the trouble to make himself acquainted with the circumstance of its people can fail to be well aware that in the race of life the Indian agriculturist is very sorely handicapped; he starts very heavily weighted, owing to the very high rate of interest which he has to pay to the money-lender for the advances which, to enable him to reap the full benefit of his land, in many cases is absolutely necessary for him to obtain. Those rates have been stated by Sir Wm. Wedderburn as 12, 24, and 36 per cent., but I believe there are many instances in which those rates are greatly exceeded. There is possibly not one of us acquainted with India who is not aware of cases in which, amongst the lower classes, the sepoys and others, men have borrowed one rupee upon the promise of paying two rupees at the end of the month, that is, 200 per cent.; it is not, therefore, improbable that even the agriculturist has sometimes to pay a very heavy rate of interest. I believe there is no doubt that one of the causes of the hostility to our rule on the part of many of the agriculturists of Upper India during the Mutiny was the exactions of the money-lenders. It was owing to those exactions that they had, through the processes of our Civil Courts, been ousted from their lands; and it was not hostility to us as a people, so much as the hope of regaining possession of their lands, that induced many of them to side with the mutineers. There can be no doubt that India offers a fair field for the establishment of Agricultural Banks, but they must be managed with great tact and judgment to overcome the opposition of the money-lenders and secure the confidence of the peasantry. (Hear, hear.) Sir Wm. Wedderburn has alluded to the assessment. I have been one of those who for many years have believed that it would be to the advantage of Government to have a permanent assessment, because I consider that a permanent assessment may lead to the prosperity of the people, and the prosperity of the people will invariably, to a certain extent, attach itself to the Government, *i.e.*, when the people spend money a fair proportion will always flow into the coffers of the State. At the same time I would not condemn those who differ

from me upon this point, because it must be remembered that we obtain a very large proportion of our revenue from the land, and that it may not, consequently, be wise to make experiments upon so important a question. In conclusion I would simply state, and I am sure I am expressing the opinion of all my colleagues on the Council of the East India Association when I assert that any assistance in our power which can be afforded to Sir Wm. Wedderburn in bringing the scheme which he has shadowed forth into practical execution will be most cheerfully rendered—(cheers)—and at the same time I would point out that those here who agree with us may take the opportunity of joining this Association and thus indirectly of also giving such assistance. (Cheers.)

Mr. H. G. KEENE, C.I.E.: Mr. Bright, Ladies, and Gentlemen,—I think that all who are interested (and I suppose all who are present here are so interested) in our Indian Empire must join with me in appreciating the nature of the paper which has been read by the hon. Baronet who addressed us first. And I think, sir, that the presence of this assembly (together with that of so illustrious a statesman in the chair) is a further guarantee, if it were necessary, to the people of India, that their interests are not forgotten in the whirl of excitement of this great metropolis. (Cheers.) Sir, the hon. Baronet did not attempt to conceal from you and from the meeting the two great difficulties that attend the institution of banks of this kind. I am not of course here to oppose the hon. Baronet, nor am I sufficiently acquainted with the position of affairs in the Deccan to do so if it were my desire; but I wish that the two difficulties which he has mentioned do apply to the parts of India, with which, from my thirty-five years' experience there, I have become somewhat conversant. Those two difficulties I may briefly describe as the alarm given to the village bankers, and the debility—or shall I call it the want of value in the security which will be offered to these banks for the loans that are to be taken by the cultivators. Now, in the first place, the village banker is the only partner by whose assistance the cultivator is enabled to bear up under the load which was so graphically described in the address you have heard, and the reason is plain. I will not draw so flattering a picture of the cultivator as to say that he has no faults, because he has one or two; for instance, he is given to spending an undue amount of money upon marriage festivals, and he is given to marrying his daughters at what we consider an unduly early age, and so forth; but I believe that the great burden which devolves upon his long-suffering shoulders is not that, but it is this: that the



Government of India—with the best intentions I am sure—has conceived itself compelled to draw its revenues so far as they come from the lands (and that is a very large proportion), in the form of cash, thereby throwing upon this overburdened and ignorant class the trouble first of all of watching the market—if they ever do such a thing; and, secondly, of seeing that they get a proper price for their produce and that their produce is properly placed. They could not do this without the assistance of the village banker. Now we must bear in mind the anarchy which India passed through during the last century. It must never be forgotten in considering any social subject connected with India, that for one hundred years the native population was not under the protection of any law: they were exposed to spoliation and oppression, and according to the descriptions given by writers in those days (I have not time now to give extracts from the various works, but anyone who reads up the subject will find there is good authority for what I am saying), such was the state of things that a man hardly trusted his neighbour, and beyond the limits of one village there was no confidence felt at all in any other village. The consequence of this exceeding instability was that even the land, which we are accustomed to consider the most valuable security for money, lost its value, and I really think that that was why the rate of interest rose so high, and that now the Indian people being a people averse to change and given to running in the old grooves, followed by their forefathers, it has not occurred to any of them to pay less interest than they did before. (Laughter.) Well, but that as it may, do you suppose that the village bankers generally will be content with receiving a dividend from the Joint Stock Bank when they can get 24 per cent. on the security of land? (Hear, hear.) That brings me to the other subject. If the land is hypothecated to this bank in any particular district, and all the charges fall in from the misfortunes of the debtor, or from his inability, which may sometimes be contemplated, to pay his debts, the bank will find itself saddled with all that land, and will consequently be obliged to undertake in addition to the usual functions of a Bank the functions of land holders on a very large scale. Financial gentlemen who are here will understand the difficulty. Now I have one word more to say. The hon. Baronet seems to think that the periodicity of settlements was detrimental to the security of land. I think that may very well be so. If it is so, it is an additional difficulty which has to be faced in getting up these banks, because the difficulties in the way of permanent settlement have been already so often discussed and agreed upon that I believe all practical men have agreed to

withdraw the subject for the present from consideration. A permanent settlement, whatever may be its merits (and I am not blind to them) would revolutionize the system of finance in India, which is now so democratic that the salt tax, which is a poll tax of seven pence a head per annum, is the only contribution that the poor man need make to the public treasury. If you tamper with the land revenue you do not know how long that state of things might last, and I fear that the only effect of a permanent settlement would be to create a class of landed proprietors at the expense of the entire contributory body, and reverse the very policy which is now being carried out in Ireland. In India we have almost the ideal of Socialism—the poor protected by the State. The Government, however, might try one other experiment in the pursuit of that paternal exercise of authority which unknown and happily unknown as it is to us here must, I believe, for some time still continue to be the duty of governments in India. What I would suggest (I shall not now venture to go into the details of it) would be that the Government might see their way to take those more important crops to which one speaker [Sir James Caird] alluded in kind instead of throwing upon the over-burdened cultivator the trouble of selling them and paying the taxes in cash. And in illustration of the possibility of doing this I need only mention that it is done already in the case of the opium revenue in India, and by the Dutch in Java. The Government gives advances to the opium cultivators, and it takes the produce from them, and it takes the trouble to weigh the opium and to put it into chests which, on the guarantee of the Government, go down and are sold by auction, and realize an income of about ten millions per annum. I am not aware that any credible book has been published about Java since one that came out about twelve years ago by a Calcutta barrister of the name of Money. The learned gentleman then showed first that Java had been in a state of great depression; then that in 1836 the Government had seen the error of its ways, and gone into a sort of partnership with the village banker and the village cultivator, and that the consequence of that had been that the revenue had so improved that in one year they had a surplus of nine millions. That surplus of course was wrong, and it was not allowed to continue; but how was it dealt with? It was dealt with in the interests of the contributory body, and the prosperity of the island was undisturbed. (Hear, hear.) This system appears to have been adopted by Akbar, and its introduction was recommended by me in *The Calcutta Review* nearly three years ago. It is now, in the same periodical, occupying the attention of Mr. A. Harrington,

the district officer of Saharanpur, in the north-western provinces. A comparison of the results of the different systems in Java and in India, shows that while in Java the Government gets ten shillings a head, contributed exclusively from the island itself, we in India only get six shillings per head, which figure includes some amounts not contributed by the country. With these figures before us, one cannot help thinking that the adoption of some such kind of partnership management in India would be productive of beneficial results. (Cheers.)

Mr. J. SEYMOUR KEAY (who was introduced by the Chairman as a gentleman who, as an agent of the Bank of Bengal, would be able from personal experience, to give some interesting information), said : Mr. Chairman, Ladies, and Gentlemen,—I have had personal experience to a very large extent, alike of the ryot and of the native money-lender, both in British territory and in the native States, and I may say that I am intimately acquainted personally with the whole of the native Banking class of Western India. With regard to a remark which fell from the Chairman about the poverty of the ryot, I fear I must add that in my humble judgment that poverty is to be traced to the action of the British Government in India. (Hear, hear.) I have for about twenty years resided principally in one of the largest native States, and it is almost demonstrative of this truth when we find that no similar degree of poverty exists among the cultivators in the State of the Nizam of Hyderabad. The reason is not far to seek. A native Government is cheap and simple, while the British Government, even if it be good, is anyhow too expensive. It is like gold bought too dear. If we would only allow the ryot to keep his own savings, he would not need to apply so much as he has to do to the money-lender. The extent of indebtedness which now oppresses him, is something far more, I think, than has been expressed on this platform to-day. I would only refer to an official statement published in 1878, by Commissioners appointed to report on the condition of the Deccan districts, in which the opinion is recorded that "the Deccan ryot is indebted on an average to the extent of "sixteen or seventeen years' rent of his holding." The Commissioners add, "He has nothing now to hope for, but lives in daily fear of the "final catastrophe." This is the frightful state of indebtedness which Sir Wm. Wedderburn has called on us to do our best towards remedying. The particular method whereby the British Government has brought about such a state of things is this. Out of a desire to keep the ryot solvent as long as possible, at least to keep him paying

his revenue yearly at all hazards as long as possible, our Indian Government has entirely departed from the ordinary and immemorial native principle whereby the land was never allowed to be mortgaged to any one. In the native States at this moment, no such mortgage is possible. The crops alone are mortgageable, and not the land, and the consequence is, that the debt of the cultivator is practically limited to the value of one year's crop. (Hear, hear.) The tenure in native States is that of cultivating tenants simply, without liberty to mortgage their holdings, which are considered entirely the property of the State. Of course, when the ryot has got into this hopeless state of indebtedness, it is natural that the money-lender should increase the rate of interest upon him to an exorbitant rate. My own experience in Western and Southern India leads me to consider that Sir Wm. Wedderburn's estimate of 24 per cent. interest is extremely low; I fear, and I may say in thousands and tens of thousands of instances, I more than fear, I absolutely know—that the rate of interest paid by the cultivator to the *saṅkar* is very much nearer 100 per cent. than 24. I am pretty confident that if the matter were investigated, 50 per cent. would be found to be more like the average than 24 per cent. And besides, there is the tremendous fact that if the cultivator pays 50 per cent. to the money-lender, that 50 per cent. is really doubled and made into 100 per cent. when you come to add to it court fees and all the other expenses of collection. The ryot is thus at this moment ground between two millstones. The upper millstone is the expensive British Government, too expensive by far for his ability even if it were snitable to his wants, and the other millstone is the money-lender trying to squeeze all he can out of his debtor, the principal sum of whose debt he has very little hope of recovering. I have no hesitation in saying that under Government patronage, the scheme that Sir Wm. Wedderburn has announced, would be not only beneficial to the ryot, but safe to the investor. The ryot would be benefited in two ways; he would get rid of the high interest to the money-lender and he would get rid of the numerous expense and vexation of our Civil Court procedure. I consider as a cardinal principle of the scheme, the employment of the simple machinery of the Revenue Officers, for the purpose of collecting the debts of the Agricultural Bank. With such aid, success would be assured. As to the safety of the investment, I may without immodesty speak with some authority, as it has been my business for twenty years past, to understand all the bearings of this very subject. As agent of the Presidency Banks of Bombay and Bengal, I have lent—not

indeed to the ryots directly, but to the native bankers, who in their turn lent to the ryots—a sum of over seven millions sterling during twelve years, and it says a great deal for the safety of the business which the native banker does, when I state that of that sum of seven millions, every shilling of which was lent to the native bankers without any security except their own promissory notes, I did not lose one single halfpenny by bad debts or otherwise. (Cheers.) I fully endorse the statement of Sir Wm. Wedderburn that the ryot is an honest debtor, who will rigourously pay to the last penny whenever he can. (Cheers.) So convinced am I of the safety of the business and of its profitable nature—for I think that as much as 15 per cent. interest might be justly demanded from the ryot by the Banking Institution—that I shall have no hesitation in taking shares in the undertaking myself and in recommending it to all my native banking friends in Poona, Hyderabad, and other parts of Western and Central and Southern India. I have no doubt that for the limited experiment at present to be tried, the capital required will be very speedily forthcoming. At the same time I would earnestly repeat a caution which has been already given by one speaker, and the urgent need for which will be appreciated by every one here who has the interest of the ryot at heart, and who at the same time is familiar with the methods of our Indian Government. I would urge all friends of the Indian peasant to do all they possibly can to secure that some checks be put upon the perpetually increasing demands of the Government upon the very limited resources of the Indian cultivator. If this is not done—if the present state of things continues—I am convinced that any amelioration which may be effected by Agricultural Banks in the condition of the ryot will be speedily negatived, and any savings he may acquire by cheap interest will only find their way directly or indirectly into the Indian Treasury. (Cheers.)

Mr. MANCHERJEE M. BHOWNAGJREE : Right Honorable Sir, Ladies, and Gentlemen,—Whatever diversities of opinion may exist amongst this audience as to the causes from which the Indian agriculturist becomes a needy borrower, there is one thing which Sir Wm. Wedderburn's paper has made as clear as A B C to our understandings, and that is that there is great necessity for the establishment of something like these agricultural banks in India to exercise a sort of protective influence between the agricultural money-borrower and the money-lender. Sir Wm. Wedderburn speaks with the authority of a long experience of Indian agricultural matters, for his career I know, has hitherto been filled in the provinces of India

where the native agriculturist presents himself every day in the simplicity of his heart and represents his wants to the government official. Sir Wm. Wedderburn, moreover, speaks with the authority of the real well-wisher of India—(cheers)—and whatever he from his experience and judgment states to this meeting here in the very metropolis of the British empire, may be accepted as uttered by one who has the best interests of India at heart. (Cheers.) It is now beyond dispute that the agriculturist in India is generally the borrower of money from a set of people who are popularly known as the *marwadees*. The *marwadi* is an institution in every hole and corner in India, and he doles out his money to the needy native as the wants of the borrower require it on conditions which would surprise the modest money-lender of any enlightened country in the world. The agriculturist becomes further oppressed at every period that his money becomes due, for he generally finds himself unable to return the loan or pay the interest and compound interest which he has to pay, which mounts up in a manner that is almost inexplicable to the understandings of those who are not intimately acquainted with the money-borrower and the money-lender of India. It is therefore apparent that the case which Sir Wm. Wedderburn has made out is one which we may fairly accept, and we may also feel assured that any agency like that proposed by him is one which is for the real benefit of the Indian agriculturist—a generally oppressed class. The agriculturist in India is honest and ignorant, and needs the protecting and guiding influence of some beneficent institution. The Agricultural Bank which Sir Wm. Wedderburn proposes in his paper is one that with my slight experience of this matter I feel certain will exercise that influence. It will save the Indian agriculturist from extortion to a very great extent; it will free his hands and enable him to put that unstinted labour upon his land which is so necessary now for the proper cultivation of the soil in India, and I am sure that the encouragement which Sir William Wedderburn asks from this assembly for the efforts to be made in India by securing for the enterprise some active and effectual support may very well be given. The English capitalist, too, who invests any sums in these Agricultural Banks, which, by the way, are now receiving the countenance and support of the Government of India, may fairly expect a handsome return, not immediately, perhaps, but in the course of a few years. (Cheers.)

Mr. ROBERT H. ELLIOT said: Mr. Chairman, Ladies and Gentlemen,—I need hardly say that I have listened with much interest

to Sir William Wodderburn's paper, and I feel sure that you will all concur with me in thinking that this Society has never printed a more valuable, interesting, and admirably put together paper. The short time at my disposal, of course, entirely prevents me from doing full justice to it, and I can only therefore offer a few remarks on what seems to me to be the part of the paper that calls for our most earnest attention,—I mean the concluding part where Sir William points to the difficulty—I think I may say the only difficulty—connected with his valuable scheme. That difficulty simply is, that for the loans of the bank the peasant has at present no security to offer, or, what amounts to the same thing, no security worthy of the name. (Hear, hear.) All that he really has to offer is a possibility, and I need hardly tell you that banks do not like lending on possibilities. Let me tell you what these are and explain the subject from the beginning as clearly as I can. About four-fifths of the land in India is held for the State by the occupier on a tenure which is liable, every thirty years, to be re-valued, not, it should be borne in mind, by any independent tribunal, but by the State for itself. The State, it is true, has declared that on account of improvements effected by the occupier it will levy no enhanced rent, but it retains a general power of re-valuation over the holding; and as long as that exists, and to an indefinite extent, it is evident that the occupier has no tangible security to offer, for the enhancement of rent may be so great as to leave nothing over as security for the advances of the bank. (Hear, hear.) It may be urged that the State will not run up rents excessively, but neither the bank nor the occupier has any means of forming any conclusion as to this, except for the experience of the past, and I am sorry to say that that experience is anything but a cheering one, as anyone can verify for himself by reading the report of the Deccan Riots Commission (printed by order of Her Majesty, 1878). In one table given, the rates of enhancement ranged from 73 to 225 per cent., and it was ultimately found necessary to reduce them. Now, the Government is very averse to granting a permanent settlement of the demands on land, a thing, considering the financial condition of India, we need not much wonder at, but it certainly seems to me that the Government might fix a rate of enhancement above which it would not go; and if it would only declare in its leases that the enhancement at the close of each thirty years' period should not exceed a given rate—say 5 per cent.—the occupier would then have a complete and tangible security to offer to the bank. It seems hardly necessary to say anything further on this subject, as the advantages of a freehold, or as near an approach to it as possible, are so evident, but I cannot conclude these

remarks without mentioning a very interesting instance of the value of letting the land on a fixed tenure as regards rental, and this was brought to my notice by an officer who was in the Cuddapah District, Madras Presidency, in the last famine. He told me that in the middle of that awful calamity, when the country was practically a desert, he came across occasionally bright green oases, covered with valuable crops, and these were owing to very deep and expensive wells, which had been dug in the fields. But in nearly every case these had been dug in lands which had been granted by the State to individuals for various services and at a moderate fixed rent-charge. On the Government lands, where, of course, there was no security, there were no wells, and I therefore do not think I could give you a better or more practical test of the value of either having a fixed moderate rent-charge or else a charge only liable to a fixed and moderate enhancement. One word more: valuable as Sir William Wedderburn's scheme may in itself be, it can never bear fruit until the land tenures of India are placed on an improved footing. (Hear, hear.)

Mr. W. MARTIN WOOD said: Mr. Bright, Ladies, and Gentlemen, —I certainly feel unwilling to occupy the time of the meeting at this hour, but, having been in India when Sir Wm. Wedderburn set about his efforts to improve the condition of the cultivators, I am glad, indeed, to be here to-day to testify to what he has done, and to congratulate him on the great progress that has been made. It is very gratifying that we can for once approach the subject of the indebtedness of the Indian peasant without that feeling of hopelessness which like a nightmare generally attaches to the subject. I must confess that there is only too much ground for such feeling, one in which I have often shared. Nevertheless, Sir Wm. Wedderburn has demonstrated that there may be some ground for hope, and he has given in this paper some tangible sign that there may be some way out of this difficulty. On general grounds, if you look at it, there is some basis for that belief. There is the good climate of India in normal seasons, there is the fertile soil, with its amazing productiveness under favourable conditions, and the cultivator is really thrifty in spite of his humble festivals at marriage and other occasions. Thus, as you will have seen from some of the statements made by Sir James Caird and others, how a very little improvement in the ryot's position enables him to get out of that dismal condition in which so many of the facts in the Report of the Deccan Commissioners show that he is so often placed. Very little relief, only a little help, will place him within reach of comparative comfort, at any rate sufficient for his "homely



joys and destiny obscure." This is shown very admirably and concisely at page 334 of the paper that has been read. And, there being this possibility of restoration, what is needed is to show some way in which the ryot may be got out of that slough of despond in which interminable debt has engulfed him. This is just what the writer of the paper sets himself to do. (Hear, hear.) At page 330 and following you will notice that there is pointed out one condition which is essential to reform. First of all he must be relieved from that rigid system of scientific law, derived from the commercial system of the West, which operates so disastrously to the Indian peasant. That has already been done in the Deccan Ryots Relief Act; but as we have been reminded by one speaker, Mr. Keay, that policy has been anticipated in Native States. Anyone who wishes to study this subject cannot do better than read a little book, a monograph on the condition of the peasantry in an adjoining district to that where Sir Wm. Wedderburn began this movement, the district of Aurnungabad, in the Nizam's Dominions. In chapter four of that work the author, Mr. Furdonjee Jamsetjee, goes into the whole question of the ryot and the money-lender in the most instructive manner. That sketch may be exceedingly useful to anyone who wishes to follow out the proposal that Sir Wm. Wedderburn has made. But, now, if we step aside from these few favourable conditions that have been mentioned in some parts of India, the question arises how is it that, on the whole, the pecuniary prospects of the Indian cultivator are so dismal? That subject is one that demands the closest attention of our English economists and statisticians. (Hear, hear.) I do not now speak of men like Sir James Caird who have already studied these subjects. I refer to younger men who have more time to give to such topics. I cannot conceive any subject which is more worthy of a man of light and leisure than giving his attention to the social statistics of India. (Hear, hear.) It will be seen there are two great deficiencies—lack of water and lack of capital. The first is mentioned in the paper, but only incidentally. Irrigation is but little extended, and hence the cultivator in the Deccan has to depend upon precarious rainfall, as has been described. As to the other great want I have already, in a paper read before this Association last January, tried to show how the deficiency of capital can be supplied on a larger scale. We are now asked to do something in the way of meeting that deficiency on a smaller scale, but in a direct practical manner; and I trust some tangible result may flow from this discussion. (Cheers.)

Lord STANLEY of ALDERLEY said: Mr. Bright, Ladies, and Gentlemen,—Sir Wm. Wedderburn's paper is so complete and so practical that it leaves nothing to criticize and nothing to add. I desire to recommend particularly the proposal of his to employ the *marwaris* (as they call the money-lenders in that part of the country) to carry out the work of the bank. In that way you would disarm the hostility which they might perhaps naturally feel towards the scheme. A Chief Commissioner, who I regret to say is not now here, told me that he had been engaged in a long struggle with these money-lenders, and had invariably been unsuccessful. Sir Wm. Wedderburn proposes to assist himself in these operations by a commission of liquidation. If some pressure is brought to bear upon the *marwaris*, then perhaps they may be induced to accept an equitable liquidation and not to insist upon the whole of their profit; but the chief difficulty which Sir Wm. Wedderburn has pointed out is that which it behoves the Government to remedy, and that is the frequently recurring settlement of various parts of India, for so long as there is a periodical revision of the land tax, so long will capital be scared away—very much more than by that fear which Mr. Elliot, in his recent paper on Mr. Ilbert's Bill, ascribed to it. (Hear, hear.) It is evident that when the British Government substituted for the form of taxation which used to exist, in the Native States, that is to say, titles or taxation taken in kind (by which the Native Government in a good year profited and got a large amount, and in a bad year got loss) a permanent money rent, it was necessary to take a low average instead of a high average, and my belief is that the Revenue Commissioners who laid down these settlements, rather took a high than a low average. Perhaps some gentleman here who has had experience in India will be able to inform the meeting how that is, but it is very clear that unless a low average is taken the cultivators cannot, taking the bad years with the good years, pay always the same sum. (Hear, hear.)

The CHAIRMAN said: Several other cards have been sent up, but I think probably the meeting will conclude that we have sat here long enough, and perhaps heard nearly all that is necessary to be heard now. (Hear, hear.) I hope that the effect of this meeting may be to bring this subject clearly before the public, and that we may find before long that Sir William Wedderburn and the gentlemen with whom he is so honourably associated, may have a considerable support from capitalists in this country, and that that joined with what will be done by capitalists in India, will enable this experiment

to be soon tried, and, with all of you, I can only express the wish that the experiment may be successful, and that its good results may be extended to other parts of India. (Cheers.) There is one thing which I should like to state here. My friend, Mr. Baxter, the member for Moutrose Boroughs, who has been not long ago in India, and travelled many thousands of miles through the country, has written this letter with reference to Sir William Wedderburn's paper :—

3, CORNWALL GARDENS, S.W.

July 8, 1883.

MY DEAR SIR WILLIAM WEDDERBURN,

I regret very much that a family bereavement prevents me attending your meeting to-morrow, and bearing my humble testimony to the value of your plan for the creation of Agricultural Banks in India. From what I saw and heard during a period of 6000 miles' travel in that country, I doubt if any remedy for the poverty and distress everywhere so apparent, would prove so immediately efficacious as that advocated in your admirable paper, which I have read with so much pleasure this morning.

Believe me, ever truly yours,

W. E. BAXTER.

From that letter I think the opinion of Mr. Baxter is one that strengthens very much the view that has been very generally expressed at this meeting. (Cheers.)

Mr. WILLIAM TAYLER (late Commissioner of Patna) : Before we break up this meeting I have the grateful task of proposing a vote of thanks to Mr. John Bright for presiding this afternoon. (Loud cheers.) I am sure that the most graceful thing I can say in moving such a resolution is to say that I have nothing more to say. (Hear, hear.)

Mr. C. W. ARATHOON seconded the motion, which was carried with acclamation.

The CHAIRMAN : I can only say that I am very much gratified if anything I have done has given satisfaction to the meeting, and still more if it should be of any service to the cause which has brought us together. For twenty-five years or more I took the deepest interest in Indian questions. Latterly other things have drawn one aside, and sometimes one has felt the sense of the hopelessness of being able to do anything with so great a question. Still, the question is before us; it cannot be shirked; the duty is upon us, and if it be possible to do anything let us all try and do it. (Cheers.)

Upon the motion of Mr. ELLIOT, seconded by Mr. MARTIN WOOD, the unanimous thanks of the meeting were accorded to Sir Wm. Wedderburn for his paper, and the meeting separated.

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*The following Letters were sent to the Secretary for publication:—*

The RAJAH RAMPAL SINGH, who was prevented by an important engagement from being present, wrote as follows:—I have read Sir William Wedderburn's paper through with the greatest satisfaction; first, to find that the subject has engaged the attention of so eminent an Indian official; secondly, because of the generous sentiments towards India pervading it; thirdly, because the proposal embodied in that paper is one with which I entirely agree. In pursuance of the principle advocated, I beg to offer the following observations. The welfare of India in the main depending on her agricultural prosperity, it follows that the great class devoted to the labours of the field forms the backbone of the country. I wish to point out that although there have been instances of oppression on the part of landlords in India to their tenants, the exactions made by them were not in former times so burdensome. And for this reason,—the share of the revenue contributed by the landowner to the Government was in kind; and he himself received his rent in kind. The prosperity therefore of all concerned varied, as it should do in an agricultural country, with the gifts of nature. In a country like India, subject to years of great drought as well as to abundance of rain, it is obviously impossible to devise a more just mode of paying rent and revenue. Now the Government insists on the latter being paid in coin, and the landlord, who is responsible, equally imposes the same obligation on his tenants; and this is yearly collected whether land yields anything or not. Whereas, formerly, when the land produced nothing the landlord received nothing; neither did the Government. Another point I would notice is the rate of interest. Who is responsible for the high rate charged? The Government is well aware of the practice of usury; what steps has it taken to check it? In all other countries there is a fixed rate of interest beyond which it is illegal to charge. Why in India should usurers be permitted the power of exacting from the poor ryot a return for money lent which keeps him in constant poverty; nay,

to quote Sir William Weddorn, "crushes and ruins" him? The Government has the remedy in its own hands. I quite agree with what the able writer has said upon the utility of advances being made at a fixed and lower rate of interest; but the Government in countenancing this scheme seems to be acting a double part,—on the one hand, conniving at a high rate of interest being charged; and on the other, approving a scheme like that suggested by the able lecturer. In my opinion the condition of the Indian proprietor, of the cultivator of the land, is not to be improved so much by the introduction of European capital as by the strict carrying into effect of the Government law, that no higher rate of interest shall be charged than 6 per cent., as is the case when a decree of Court is obtained. The establishment of a Company such as the one proposed would lead, at no distant date, to its possessing most of the agricultural land in the sphere of its operations. The action of the Government in regard to usury, which I have indicated, would obviate the necessity of such a Bank being formed. Again,—granted all the statements of the able lecturer as to the success of such Banks in other countries, permit me to say that the cases are by no means analogous ones. In those countries, ruled and rulers, landlords and tenants, bankers and their customers, are all alike native of those countries which are benefited by their success and prosperity. In India it is not so.

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SIR,

As the lateness of the hour at which the discussion on Sir W. Weddorn's paper, "The Poona Raiyat's Bank," closed, prevented my speaking on the occasion, I trust the Council of the Association will not think it out of place in me to place before them, in the form of a letter, what I, if I had had the opportunity, should have said on a subject in which I take a very deep interest, and which was brought prominently before me in my late position as a member of the Government of Bombay. I venture to hope that, considering the extreme inadvisability of letting it go before the public in England that the action of Government is in any degree calculated to discourage the investment of capital in the improvement of land, and thereby bettering the condition of the raiyat in India, the Council will publish this letter in *The Journal* at the same time that Sir W. Weddorn's paper is printed.

I was surprised and pained at the almost universal tone adopted by the speakers in the discussion with regard to the assumed proclivity

of the Bombay Government and duly to enhance the assessment of land revenue at the periodical revision on the expiration of the thirty years' guarantee, a tone from which I regret to observe the otherwise very impartial statement of Sir W. Wedderburn's paper is not entirely free in the following passage:—

"The theory no doubt is that the enhancement will not touch 'improvements made by the holder, and those who support the 'existing land system maintain that in practice the demand is not 'increased except on fair and sufficient grounds. But I feel bound 'to admit that this view of the case is not accepted either by the 'rakyat himself, or by those who would otherwise be willing to invest 'their savings in land. I make this admission with regret, as being 'the weak point in the scheme I advocate; but it cannot be denied 'that the banker must look with distrust on a security, the solidity of 'which depends upon the discretion of the fiscal authorities."

Now, I maintain that not only is the practice in accordance with the theory in this respect, but also that any enhancement that would touch improvements made by the holder would be absolutely illegal. Surely Sir William must have read the Bombay Revenue Survey and Assessment Act, now incorporated in the general Bombay Revenue law passed in about 1878, in which this principle is clearly laid down as a positive enactment of the law on the subject; and surely, if the principle had been departed from in recent revisions of assessment, such a flagrant breach of a positive law on the part of Government would not have been allowed to pass unnoticed by those who were affected by it. A mis-statement such as this, given forth in a paper designed to induce capitalists to invest in the scheme of Agricultural Banks proposed, cannot fail to have the very opposite effect, and I therefore trust that my counter-statement, which can at once be verified by reference to the Act quoted, will have equal publicity given to it by the East India Association.

The method of recording the Survey assessments renders any mistake in this particular impossible, for land entered thirty years ago as "dry crop" in the Survey books is still so recorded and assessed on the revision of assessment, although it may in the meanwhile have been converted into "rice or garden" land by the expenditure of the rakyat's capital and labour. I know that there is an impression abroad that enhancements of assessment in recent revisions may have arisen from the non-observance of the principle; but having gone through numerous settlements myself I can vouch for such not being the case, and I challenge proof to the contrary. What enhancements have been made have been on other perfectly

legal grounds, which there is no occasion to state in detail here. It is not to be wondered at that some of the speakers not favourably disposed towards Government should have seized on the fancied authority of the paper itself to declaim against the over-exaction of Government, and the result in the speeches was the propounding of various remedies, from that of the Government being restrained from such over-exaction by higher authority, to that of Mr. Keene, for the abolition, as I understand it, of cash rates of assessment and a revision of the system of an actual division of crops between the State and the raiyat. With regard to this latter proposal I need only say that I am certain its author, if he had seen, as I have, the uncertainty of assessment arising under it, the bribery and corruption among native officials, both with regard to appraisement of crops and their subsequent sale, entirely beyond the control of the European District Officers, would never have brought it forward. I may here observe in passing, that Lord Stanley of Alderley could never have made the remark he did—viz., that in fixing cash assessments the basis taken must have been that of a high in place of a low average crop return, if he had seen the reports of the Bombay Survey Officers, which prove clearly that the reverse was the real case.

As might have been expected, there was in the speech of Sir J. Caird, fresh from an exhaustive official inquiry into the land tenures and assessments in India, no such declamation against the action of Government, and no such mis-statements as those that characterized what was to be found in the remarks of some of the other speakers, which the Members of the Association can now read in the light of what I have written. Sir J. Caird, on the contrary, suggested the practical measure of the making of advances to raiyats to enable, as far as possible, each man to provide himself with his own well for the irrigation of his own fields as an effectual preventive of famines, and this admirable suggestion brings me to the consideration of the main purpose of Sir William Wedderburn's paper, viz., his scheme for the establishment of Agricultural Banks.

Of this scheme I cordially approve, and deem that I shall be advancing the good cause if I utter a few words of warning against what my experience in the country leads me to think will be found impracticable, and to offer a suggestion that may tend to the practical solution of difficulties in carrying out the scheme.

The author of the paper has omitted to mention in it the efforts that have been made by Government somewhat in the same direction as that now proposed, viz.: to induce the raiyats to effect improvements in their holdings with capital obtained from the State at a

reasonable rate of interest, lower even than the Agricultural Banks themselves would demand, viz., five per cent. The omission is unfortunate, inasmuch as it has deprived the author of the strong support he might have gained for his proposal in the argument to be drawn from the signal failure of those efforts. They failed for two reasons—1st, that the raiyats were too much in the hands of the local money-lenders to venture to go elsewhere for money; and 2nd, on account of the absolute necessity there exists, where State funds are concerned, for a rigid inquiry into the circumstances of its would-be debtors, and for the equally rigid enforcement of payment of instalments falling due. These difficulties may to a certain extent be met by the employment of the private agency proposed, but even then great caution will have to be exercised in dealing too leniently with proposed borrowers in the matter of inquiry previous to making advances, and in the subsequent realization of debts due. I admit to the fullest degree the generally honest character of the raiyat in his money dealings, but he is not immaculate, and it will require the greatest tact and judgment on the part of the Agents of the proposed Banks to decide when to give and when to refuse, when to press for recovery of debt and when to be lenient and forbearing.

One of the greatest difficulties is admitted to lie in the ascertainment of existing debts. It is proposed to effect this by means of a Commission acting under legislative authority. The experiment, I learn, is now actually being tried in a division of a district in the Deccan, and I presume that no decided steps will be taken to carry out the proposals in the paper until the result of that experiment is known. I would at all events strongly recommend that they should not be. What I chiefly fear is the immense amount of time that must be consumed in the preliminary inquiries into the thousands of cases that may arise if any general advantage is taken of the offer to advance money on the part of the proposed Banks. Take a case of a subdivision of a hundred villages, in each of which possibly applicants might come forward: on an average ten of these might be disposed of in a day, so that it would take a thousand days, or say three years, to make the necessary advances in a single sub-division of one district. It is partly the unavoidable delay in procuring advances that has caused the failure of the endeavours of Government in this direction, and this will prove the ruin of the proposed scheme if some practical remedy cannot be discovered. The one that suggests itself to me is to pay a commission on all business brought to the Banks in which the existing creditors of the borrowers produce agreements from all their own number to receive a certain amount per cent. of their debts in



full of all demands. This will make it to the advantage of the money-lenders themselves to assist the Banks, and unless the co-operation of the former can be thus secured, all the efforts of the latter must result in failure. This is undoubtedly the critical point in the whole matter. Further details of the scheme can only be elaborated from experience after actual trial. I do not despair of its ultimate success if the right men are selected to start it, and that if successful it will tend to the advantage of all parties cannot admit of a moment's doubt. The Banks must depend for success more on their own management than on what the State authorities can do for them. The assistance granted in the experiment now being tried is all very well on a small scale, and shows the good-will of Government. But it cannot go further than this, and even the effect of the collection of debts due to the Banks, together with its own land revenue, must be carefully watched, lest it should lead to the unpopularity of the Government. I cordially support the proposal for the experimental establishment of an Agricultural Bank, but recommend great caution in carrying it out. Capital is very timid, and if such a Bank were to fail, no more would be forthcoming, and the raiyat would fall more hopelessly than ever into the hands of those from whose usurious clutches it is now sought to release him.

Yours faithfully,

A. ROGERS.

38, CLANRICARDE GARDENS,  
4th July, 1883.

## BOMBAY BRANCH.

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*The following Address was presented to SIR EVELYN BARING, R.A., K.C.S.I., C.I.E., by the Bombay Branch of the East India Association:—*

TO MAJOR THE HONOURABLE SIR EVELYN BARING, R.A., K.C.S.I., C.I.E.

SIR,—We, the Members of the Committee of the Bombay Branch of the East India Association, desire, on the eve of your departure from India, to express our sincere regret that the call for your services in Egypt should have rendered it necessary to bring to a premature close your career as Financial Member of the Government of India. Varied, and, as we trust, of permanent value to the interests of this country, as your labours have been, and prominent as has been the part you have taken as a member of the Supreme Government in lending hearty co-operation to the practical carrying out of the many wise and beneficent measures inaugurated by the Viceroy and Governor-General for the material, intellectual, and political welfare of the Natives of India, they cannot be allowed, we think, to be passed over at this opportunity without our specifying here at some length their leading features and placing on record the high value we attach to them.

2. We gratefully acknowledge the action of the Government of India in carrying out the principle of entrusting Natives of India with a constantly increasing share in the administration of the country, both in its superior and subordinate departments, a principle which is in accord with the reasonable aspirations of the people, and which, we believe, offers one of the most important means of remedying that "extreme poverty of the mass of the people," so courageously acknowledged and pointed out in your Debate Speech of March, 1882.

3. In the same spirit, we feel great pleasure in being able to testify to the value of the assistance you have rendered in the noble work of securing to the people the right of local self-government, a measure which needs only to be loyally persevered in on the broad and generous principles laid down in the famous resolution of the present

Government of India, to render it the vehicle of immense good to the people, by the gradual development of their public spirit and the steady growth of their political education.

4. By annually providing a fund to meet the cost of relief when famine overtakes any part of the land, and at the same time gradually applying a part or whole of the surplus funds to the extinction of old loans, or to such other objects as the Commissioners appointed for the purpose may advise, a statesmanlike policy has been adopted which, it is to be earnestly hoped, will be rigidly adhered to. We trust that year by year Rs. 1,50,00,000 will continue to be so appropriated.

5. Another important service you have rendered to India is the part you have taken in the adoption of and perseverance in the policy of developing its material resources through the agency of private enterprise and by aid of indigenous capital. Her Majesty's Government, while reviewing your Financial Statement of 1881-2, have fully endorsed this sound economic policy. In his despatch the then Secretary of State for India observed:—"I have to express my cordial approval of the views enunciated by Major Baring in his Financial Statement regarding the encouragement of private enterprise in India. Any measures in this direction will be welcomed by Her Majesty's Government." It is to be hoped that in the construction of all new railways and irrigation works, and in other projects having for their object the development of the material resources of this country, greater and greater encouragement will be uniformly given to the investment of native capital than has been the practice hitherto.

6. Closely connected with this subject is that of the purchase of stores by Government from local manufacturers with the view of fostering, by all legitimate means, new industries in India. The efforts of Government in this direction seem to have already been attended with fair results: for the reduction thus brought about in the value of the imported Government stores amounted, last year, we believe, to £250,000, which, as you rightly observe, is "not much, but it is a good beginning." The great capacity of India as a manufacturing country is unquestionable, and the capital and acquired skill necessary for the free development of that capacity will, doubtlessly, be steadily forthcoming if, according to the hope expressed by you, and in which we join, local governments and administrations, by paying unceasing attention to the subject, continue to give their unflinching co-operation and assistance.

7. On the subject of the opium revenue, you have ably contended for the only wise course that is practically open to a Finance Minister

in the present financial condition of India. The first duty of the Imperial Government is the welfare of the people committed to its charge—the millions of India—and there is hardly any other question affecting the welfare of India in which your abilities as a statesman and financier have been more conspicuously displayed than in your exposition of the subject of the opium revenue.

8. We turn with pleasure to the fiscal measure which marked the new departure in the financial policy of the Imperial Government last year. We refer to the reduction made in the Salt Duty, whereby a substantial relief has been afforded to the poorest classes of people in this country. We tender you our warm acknowledgments for the part you took in the matter, and the generous sympathy you evinced in your Budget Debate Speech with the impoverished masses. Few officials will have the courage to ask the public:—"to think that Rs. 27 per annum is to support a person," and "whether a few annas is 'nothing to such poor people?'" It is to be hoped that Government will not stop at the present modicum of relief in this matter, but will employ any surplus that increased economy in the overgrown establishments, civil and military, may hereafter make available, to render in time this absolute necessary of life easily procurable, not only for all the wants of the poor, but for all agricultural and other necessary purposes also. In your own words, "it is exceedingly desirable to 'reduce the price of a necessary of life which is used by the poorest 'classes.'"

9. Whilst regretting that the Licence Tax still remains in force, with all its attendant evils and unfairness of incidence, which Government themselves acknowledge, it is satisfactory to observe that Government recognize that in its present form it cannot be incorporated with the present fiscal system. Your views as to the baneful effect of frequent changes in the *personnel* of the Indian Government in regard to the treatment of direct taxation, as in all other important matters, have our hearty concurrence. No doubt, "fixity of policy," as you say, "has been conspicuous by its absence." A better illustration of this great evil cannot be given than your own present sudden removal from the sphere of work here, specially when that work, which is already beginning to produce favourable results, might, under your further guidance and counsel, have been fairly expected to have advanced another stage.

10. Though the experiment of the issue of Stock Notes, which has been introduced with the object of encouraging thrift and affording a safe investment to the poorer classes of people, thereby diminishing in a way the remittance to England and directly interesting investors

in the stability of Government, has had but a short trial, fair hopes may be entertained of ultimate success by carrying out such modifications from time to time as experience may suggest, and by giving the scheme a wider scope, so that the industrial and other classes of the Presidency Towns may also be able to avail themselves of its benefits.

11. Conscious of the pressing necessities of the ryots, you have received with favour plans for agricultural loans, and rendered praiseworthy assistance to Sir W. Wedderburn's scheme for an Agricultural Bank in the Deccan. While fully admitting the initiatory difficulties attendant on such an experiment in the present economical condition of the ryot, we think it is time that some practical steps were taken as a beginning to meet the sore wants of the distressed agricultural classes in this direction.

12. It is no small service done to the important and promising Wheat Trade of India that you have been instrumental in bringing about a reduction in the Grain Rates on the Rajputana Railway, and sending samples of Indian wheat to exports in England, and thereby obtaining for the wheat of India a high place in the English market. It would be superfluous to expatiate here upon the benefits India would derive from a complete development of this important trade.

13. We fully appreciate your share in the manly but temperate protest made by the Government of India in the matter of the expenses of the Indian Contingent despatched to Egypt,—a protest that has been so far successful as to have resulted in obtaining from the British Exchequer a contribution of £500,000.

14. It would indeed be tedious to dwell at length on the policy and measures adopted in respect of jail-manufacturers, food and cattle reserves, and of restrictions on periodical enhancement of land revenue, and on the improvements effected in the system of presenting Indian accounts to the public, all of which have met with general approval.

15. We have, we fear, already trespassed somewhat unduly on your time with this lengthy Address, but the earnest desire we have felt to give expression to our appreciation of the singular ability with which you have administered the finances of this vast Empire must be our only apology. In the fulfilment of the duties of your high office your object has been to promote single-mindedly the good of India, and to give full effect to the intentions of the illustrious Viceroy, to whose hands our benign Sovereign has committed the welfare of the people of this continent.

16. In bidding you farewell, Sir, it is our fervent prayer that you

may be long spared to serve your country with honour and credit, and especially to take an abiding interest in the welfare of India by giving it in some form or another the benefit of your varied financial experience and intimate knowledge of its economic wants, and last, though not least, according to its people your liberal and enlightened sympathy.

VISHWANATH N. MANDLIK, *Chairman.*

BOMBAY, 17th August, 1883.

### SIR EVELYN BARING'S REPLY.

GENTLEMEN,—In reply to this Address I wish in the first instance to allude to a subject of which no mention has been made in the Address itself: I mean the Criminal Jurisdiction Bill. I do not propose to discuss the merits or demerits of this measure, but as I am about to leave India, and as while I am in India I shall have no further opportunity of expressing any opinion upon it, I wish to mention one circumstance which is not in the nature of an opinion, but of a fact. It may possibly be in the recollection of some of you, that when this subject was being discussed in the Governor-General's Council last March, I almost alone of the members of that Council did not express any opinion upon it. My reasons for not expressing any opinion were twofold: first, because I never make a speech if I can possibly avoid doing so (laughter); and secondly, because my views were fully explained by others who could speak with far greater authority and eloquence than myself. As, however, I am about to leave this country, it is just possible that my silence may be misconstrued. I wish, therefore, to say that I entirely concurred with the Bill as it was originally introduced by Mr. Ilbert into the Council, and further, that after giving the fullest consideration to the arguments which have been adduced for and against the measure since that period, I am, so far as the essential principles of the Bill are concerned, of exactly the same opinion as I was nine months ago. (Applause.) You have in the course of your Address alluded to the co-operation which it has been my good fortune to afford to the many wise and beneficent measures inaugurated by the present Viceroy. I shall, indeed, always consider it a privilege that I have been for so long associated in public affairs with the eminent statesman who now occupies the high office of

Viceroy of India. To those who, like myself, have been in daily and hourly communication for three years with Lord Ripon, it seems incredible that His Excellency's views and actions should be so much misrepresented as they have often been. The time, however, has not arrived when the verdict of history can be pronounced on the acts of Lord Ripon's administration. I have little doubt of what that verdict will be. I ultimately feel assured that when the warmth of the present controversies has passed away the wisdom of Lord Ripon's policy, and the courage with which it has been upheld, will be fully recognized by all classes of Her Majesty's subjects in this country. (Applause.) You have been good enough, gentlemen, to associate my name with the important fiscal reforms that have been carried out during the last three years. I hope that you will allow me in my turn to associate with these reforms the name of an eminent member of the Civil Service who was at one time connected with the Government of this country, I mean Sir John Strachey. I do not wish to indulge in the language of conventional compliment. Neither do I mean to say that I agree in all Sir John Strachey's political and economic views. But I will say that I doubt if any public servant of the Crown in India has ever received so much unmerited obloquy as Sir John Strachey. In respect to many of the fiscal reforms which have been recently carried out, it may be said of Sir John Strachey, as was once said of a famous French general, that if he did not gain the battle it was he who organized victory. In respect to no subject do the people of India owe a deeper debt of gratitude to Sir John Strachey than as regards his action in the matter of railways. The material development of the country depends largely on improving its communications. I well remember that when the financial prospects of railways in India were by no means so promising as at present, Sir John Strachey, through good and evil reports, advocated a wise expenditure of public money on productive public works. Gentlemen, in the course of the speech I have just delivered I alluded to the subject of Free Trade. This reminds me of another point. I am told that the Address of the Association to which I am now replying will eventually be enclosed in a silver casket of native manufacture, and that it will be forwarded to me in Egypt. I assure you that I shall always value that casket, and still more its contents. I cannot, however, help expressing a hope that when I eventually wish to take the casket to my home in London, the Chancellor of the Exchequer will have taken such measures as will enable me to import it into England free of duty. (Laughter and applause.) The English duty on silver, although not imposed for protective purposes, acts protectively. It is a blot on the English fiscal system,

which I hope will before long be removed. Gentlemen, it only remains for me to thank you very sincerely for your Address. Although my official connection with India is about to terminate, I shall always take the liveliest interest in Indian affairs and in the welfare of the numerous kind and indulgent friends, both European and Native, whom I leave behind me. (Applause.)

Sir Evelyn Baring then bid good-bye to each member of the deputation.

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# JOURNAL

OF THE

## EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

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### EURASIAN AND ANGLO-INDIAN GRIEVANCES.

PAPERS BY D. S. WHITE, ESQ.

*(President of the Eurasian and Anglo-Indian Association of Southern India),*

DAVID SUTHERLAND, ESQ.

*(Barrister-at-Law),*

READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON MONDAY, JULY 30, 1883.

TO WHICH IS ADDED A PAPER BY

THE REV. JAMES LONG,

ENTITLED :

EAST INDIANS: THEIR POSITION AND PROSPECTS.

THE RIGHT HON. LORD STANLEY OF ALDERLEY

IN THE CHAIR.

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A MEETING of the members and friends of the East India Association was held in the Exeter Hall Council Chamber, on Monday, July 30th, 1883, for the purpose of considering papers submitted by Mr. D. S. White, President of the Eurasian and Anglo-Indian Association of Southern India; Mr. David Sutherland, Barrister-at-Law; and the Rev. James Long, on the Grievances of the East India Community.

The Right Hon. LORD STANLEY OF ALDERLEY occupied the chair, and amongst those present were the following:—General Sir Orfeur Cavenagh, K.C.S.I.; Major-General G. Burn; Colonel R. M. Macdonald; Captain Griffin W. Vyse; The Rajah Rampal Singh; Rev. G. Small; Mr. Abram; Mr. C. W. Arathoon; Mr. Henry Bowers; Mr. H. R. Cooke; Mr. Robert Cust; Mr. Alfred Davis; Don Arturo De Marcoortu; Mr. P. Alexander De Rozario (of Madras); Mr. J. G. Ferraud; Mr. Fischel; Mr. R. E. Forrest; Mr. Willoughby Ilbert;

Mr. Tom Luker (Madras); Mr. Macdonald; Mr. David Nasmith; Miss Seller; Mr. John Shaw (Madras); Mr. Richard Showard; Miss Helen Tayler; Mrs. D. S. White; Mr. C. N. Wood; Mr. W. Martin Wood; Mr. W. Hamilton Burn (Secretary).

In opening the proceedings the Noble CHAIRMAN intimated that it had been hoped that His Grace the Duke of Buckingham and Chandos—whose interest on the subject was well known—would preside upon this occasion. But His Grace had addressed Mr. D. S. White in the following letter:—

“DEAR SIR,—I was uncertain when I received your letter of 20th whether I should be free for Monday; but I am sorry to find that there is little or no prospect of a Committee in the House of Lords, on which I am nominated, being at end by that day, and this will render it impossible for me to attend the meeting during the day. I shall, however, look with interest for the report of your paper.

“I remain, yours truly, BUCKINGHAM AND CHANDOS.”

The CHAIRMAN then called upon Mr. White to read his own paper and, in Mr. Sutherland's absence, to read also that gentleman's address.

Mr. D. S. WHITE'S paper was entitled “Eurasian and Anglo-Indian Associations,” and was as follows:—

In view of the entire circumstances of the Eurasian and domiciled European community and of their increasing difficulty in finding the means of living in decency, the Associations of Calcutta, Madras, and Bombay were formed. They are incorporated and registered bodies. Their objects, generally stated, are the promotion of the political, social, moral, and intellectual advancement, primarily, of the members of the Association, and secondarily of the classes eligible for membership and of their common interests, and the doing of all such other things as are incidental or conducive to the attainment of the said objects; and the Associations also have power to deal with questions affecting the political or other status of Eurasians and domiciled Europeans, such as their position as citizens, their admission into and their exclusion from the Government or other service, their employment in any way in a military capacity, their settlement on the land, and generally their interests as a social body and as a section of the people of India and British subjects. Further, the Associations are competent to deal with questions affecting education from a comprehensive point of view without

interference with religious convictions. It will thus be seen that the three Associations may be regarded as representative bodies. They are separate and distinct as regards their constitution and government, but they co-operate for the common good.

Throughout the remainder of this paper I shall deal with the work of the Madras Association. It is four years old and has about thirty-five branches in various parts of India, the one known as the Mysore Branch being the most important. The Association has its headquarters in Madras, and it is governed by a Council of from 100 to 150 members, all of whom are elected by constituencies in the different divisions of the city and its suburbs. The Council alone has power to vote money. An Executive Committee deals with all ordinary work. The motto of the Association is *SELF-HELP*, which means that its funds are subscribed by its members, and that whatever work has to be done, must be done by members of the community themselves. Donations, *which are purely voluntary*, are accepted from the public, but every Eurasian and domiciled European is expected to contribute half per cent. on his or her monthly income. A lottery brought £4700 net to the funds, and about £3000 have been subscribed, mostly in small sums, during the last four years. These facts show that Enrasians and domiciled Europeans, put to the test, understand what is meant by "*SELF-HELP*" and *SELF-SACRIFICE*. But the compulsion towards "*SELF-HELP*" has proved quite a blessing in other directions. For the first time the community has been taught the lesson, that to depend on another wealthy and powerful community is demoralizing. The most strenuous exertions are therefore made by the members of the Association to carry out its undertakings. These are various. The work of the Association is divided into sections.

The Educational Section supplies schoolmasters and schoolmistresses, selects schools and boarding-houses for the children of Mofussil residents, and stimulates the study of the Oriental languages. This section has also submitted valuable reports to Government on general and technical education, more especially with reference to the resolutions of the Government of India regarding the State education of European and Eurasian children.

The Building Section aims at making members their own landlords. With the funds of the Association small houses are erected, and members have the option of purchasing them by paying a rental of twelve per cent. Ten houses have been built and are in occupation. As the rents are collected they are added to the Building Fund.

The Provident Section has established a fund of a very peculiar character. A number of subscribers are got together and each sub-

scriber pays down a half-sovereign. The amount is banked at interest, and the moment a subscriber dies his family is paid a sum equal to half the number of subscribers. Thus, if there are 1000 subscribers, the family of the deceased subscriber gets £50. The living subscribers are then called upon to pay one shilling each, which, with one shilling from the accumulated interest to represent the deceased subscriber, makes up the amount drawn out of the bank. Fifty pounds in India is a large and valuable sum to a moderately-circumstanced family, for with it, as security to offer, a young man may always get an appointment on the Madras Railway.

The Industrial Section has opened shops for taking in work from the public, and in these shops such boys and girls as attend are taught trades.

The Labour Section strives to obtain employment for those needing it. Altogether about 600 men and women have been helped to obtain a living by work. This section made the discovery that the Eurasian population, with its increase in number, had divided itself off into two distinct classes, a middle and a lower; and it has insisted that the lower class, instead of seeking to live on the alms of the public, should take to the lower forms of labour. It is unfortunate that Europeans in India being a privileged class, their descendants should imagine that they also are privileged. It is this idea which has constituted the difficulty of Eurasian existence in a country which is the home of Eurasians, and which, if they will but submit to its conditions, is able to afford them a subsistence. Under the tuition of the Association false pride is disappearing, and the unusual sight is now witnessed in Madras of men gaining their living by manual labour in the streets in place of depending on the public charities. A persistence in the course adopted by the Association is certain, in course of time, to suppress pauperism and mendicity, and to conduct the lower class of Eurasians into absorption into the general industrial population. To the gold mines a large number of men have been sent as mechanics and miners, and they have given satisfaction. The Madras Railway now employ Eurasian porters; and, on the representation of the Association, Government have sanctioned the enlistment of Eurasians as constables. By arrangement with the Inspector-General of Police such men as enlist are to be gradually constituted Jail and Treasury guards; and as they will have gone through a course of drill and musketry exercise, the Association hopes that in emergency they will be easily convertible into soldiers. I beg to put it here to the East India Association whether the time has not come for them to make a representation to Her Majesty's Government to the

effect that all Eurasians and domiciled Europeans in India should be embodied into what I would call a Reserve Force. Special Eurasian and domiciled European regiments have not been raised because it has been thought they would be too expensive, and because doubts have been entertained as to whether a sufficient number of men would be available. These objections would not apply in the matter of forming a reserve. The men would follow their usual avocations and meet for exercise at intervals. A half-yearly, or yearly, grant of money would be acceptable and secure a really strong body.

Through its Publication Section the Association maintains a newspaper called *The East*. All its transactions are recorded therein, and the paper has proved itself a powerful medium for educating the community. It inculcates the necessity for thrift, temperance, and self-reliance, and testimony is not wanting to show that its lessons have had a highly beneficial effect. It is admitted in Madras that the Association, through its paper especially, has worked a "silent revolution."

When Sir William Wedderburn read his paper on Agricultural Banks, I was sorry I had not the opportunity of speaking. What I wished to say then I say now. People's loan banks are of enormous service in India, and Madras city has three of them. The first was started about eleven or twelve years ago. The shares are Rs. 10 each, payable by calls monthly of one rupee. The clerks in the Government and other offices were being ruined by the *Soucars*, whose interest was between 50 and 75 per cent., according to the necessities and the inability to pay, of borrowers. Fourteen responsible men met one morning, put down two shillings each, called for deposits down to a half sovereign on good interest, and started business. The capital of the Loan Bank I now refer to amounts to £7000, and its transactions to £32,000, and most of the shareholders have got cent. per cent. on their investments. But the most remarkable feature in the case is that the sum of £23,000 which is in deposit is owned by persons chiefly Eurasians, who previously could not by any means be prevailed upon to save money. Loans are granted on personal and real property and on approved personal security, and they are repaid generally by ten equal monthly instalments, counter interest being given on every instalment paid. Through the influence of the Association two more loan banks have been started, the Association helping by depositing a portion of its funds in them. Under the above circumstances I am disposed to think well of the project of an Agricultural Bank as advocated by Sir William Wedderburn. The weak point in the scheme is, no doubt, the value of the security which may be offered.

But of this I feel sure that, if agricultural banks are brought to the doors of the Ryots, they will soon exercise thrift and become depositors. In my experience I have found it the best plan to throw ideas into people and to leave it to them to carry out those ideas. There is such a thing as encumbering people with help or thinking too much for them. This rock ahead is to be avoided in connection with an agricultural bank. Benevolence should never be allowed to take the place of business.

The most important section of the Association is the Agricultural. A very interesting experiment is being prosecuted in connection with it. Through the late Dewan C. Ranga Charln, the Maharajah of Mysore, some eighteen months ago, granted the Association about 4000 acres of land near Bangalore. This land has been divided into twenty acre plots, and assigned to members of the Association in order that they should settle themselves as peasant proprietors, introducing improved methods of agriculture, and undertaking dairy-farming, sheep and mule breeding, poultry rearing, silk culture, bee keeping, fruit growing, and so forth. The fundamental principle of the agricultural scheme is, that Government pensioners and others with small means should be induced to settle; for such persons, possessing self-respect and being accustomed to the use of money, are almost certain to turn out reliable settlers. Unfortunately those disappointed at not being able to appropriate a portion of the funds of the Association, or to secure exceptionally favourable grants of land, and others who are under the delusion that paupers are the class to colonize with, are misusing the press to the injury of the experiment. I do not, however, regret the discussion which is going on, for I feel sure that order will gradually establish itself, and that before very long the Mysore province will be able to show that it is possible for the descendants of Europeans to settle on the land as working farmers. It is my intention, on my return to India, to give as much of my attention as I can to the agricultural scheme, as I feel that in it is to be found the solution of the problem as to how a semi-foreign race can exist in and identify itself with the country. So far, European and Eurasian life in India has been artificial, but with the progress of India as a whole such a condition is incompatible. Besides, the education which has been given to the country is disintegrating Hindu and Mohamedan society and interfering with systems of trade and labour. It is very needful, therefore, to set examples by which the educated classes may be taught to swell, and not be a burthen on, the revenues of India. Frankly, I desire that the East India Association and the English public should watch the

experiment which the Association has made. I shall periodically send up information; and if such proves to be satisfactory, I trust influence will be used here towards the extension of the experiment. In the meantime I have left with the Association a volume which gives all needed information regarding the settlements which have been formed.

In conclusion, I would draw attention to the fact that the Eurasian and domiciled European community of India is the nearest to England in thought and other circumstances. If, therefore, it is considered essential that the civilization and thought of Europe should supplant or modify the ancient civilization and the thought of India, then I think it is of the utmost importance to so encourage Eurasians and domiciled Europeans as to enable them to act as models which the other native races may copy with benefit to themselves and advantage to the British Government of India.

Mr. DAVID SUTHERLAND'S paper was entitled "The Grievances of the East India Community," and was as follows:—

To the conquest of India by Europeans, particularly the English two classes of British subjects, living within the territories under the government of Her Majesty, owe their existence, both of whom possess special claims upon the British Government, whether regard be had to political, social, or religious considerations. One of these classes has long been known by the name of East Indians or Eurasians. The designation of this class by both these names has always seemed to me to be most unintelligible. The former is applicable with equal propriety to the Hindu and Mohamedan Natives of the country. The latter, if meant to be an abbreviation of Europasian, has justly been termed a philological monstrosity—a cross between two big continents, Europe and Asia, peopled by endless varieties of human creatures; as, for instance, a cross between a Turk and a Nsga, between a Norwegian and a Japanese, between a Chinaman and a Montenegrin, or between a Scandinavian and a Dyak and Borneo. The persons who compose this class are descended, for the most part, on the father's side from the European subjects of Her Majesty, and on the mother's side from the Natives of India. For the rest, they are the children of intermarriages between the offsprings of such connections. They may, therefore, be more properly called Anglo-Indians, or Indo-Europeans, but for the existence of the other class referred to by me at the outset, whose origin was a necessary consequence of the British occupation of India. I refer to the large numbers of Europeans who, with the extension of public works, and more particularly railways,



have from time to time become domiciled in that country, and their children. This latter class is, as a rule, being gradually absorbed into the former and the numerically stronger class, and which, by intermarriages with English families, as well as by its own strenuous efforts to live up to English standards amongst an alien and, in one sense or another, an inferior population, is more and more strongly accentuating its variation from all pure native stocks. Indeed, so great is the difficulty in designating the community whose grievances I have undertaken to bring before you to-day, that the Venerable J. Baly, Archdeacon of Calcutta, in a Paper read by him, on "The Employment of Europeans in India," before the Bengal Social Science Association on the 1st of May, 1879, has called them by the name of "Europeans in India." Under this designation he includes four classes, namely, 1st, the East Indians, or (as he describes them) the offspring, principally of marriage or concubinage between the old Portuguese settlers and women of the country (*see* his Paper, p. 3); 2nd, Eurasians, or those who are, for the most part, of English descent with the admixture of Native blood (*Ib.*, p. 5); 3rd, Anglo-Indians, by whom he means not only those who go from England, but also Americans, Germans, and others of foreign origin, who become domiciled in India; and 4th, loafers. Whether, therefore, we look to what is known as the East Indian or Eurasian class, or to the Europeans of Indian birth who have never so much as seen their fatherland, and perhaps never will, and whatever may be the standpoint from which we take our view—whether of the historian, the philosopher, or the man of science—the position of both the classes named is of the highest interest, forming, as they do, a population which, although of a somewhat heterogeneous character, yet possesses so much that is common to both as would make it difficult, if not impossible, to separate them.

But, however designated they may be, it is a notorious fact that the Indian towns are being gradually, if not rapidly, filled with a resident Christian population of pure English or mixed descent, who are English for the most part in their habits and sympathies, though doubtless they have inherited many of the infirmities of their Asiatic parentage, and who on critical occasions, such as those in which the Mutiny year abounded, and such as occur now and then in the ordinary course of things, have usually displayed the courage, the high principle, and the love of freedom of their father-race. The trick of describing the East Indian community as being tainted with all the vices of both its parent races, while possessing the virtues of neither, is one of which few rational people are guilty at the present day.

One unfortunate feature connected with the East Indian community is that the circumstances surrounding their origin have made the great bulk of them poor, while the large Bank failures of fifty years ago swept away the wealth which the few well-to-do families among them inherited from their English fathers. Unlike any other community in the world, this community has been described by one who is no mean authority among them as actually honeycombed with poverty. As a rule, the Englishmen who settle down for good in India are not wealthy enough to leave it; and although they doubtless sometimes carry fresh moral strength to the East Indian cause, the poverty and misery which they accumulate round it are often more conspicuous.

The East Indian community, then, may be regarded as loosely broken up into two classes, consisting of a small minority of fairly comfortable families with a few wealthy individuals among them, and a large majority of individuals and families whose normal condition is one of chronic distress. Notwithstanding this unparalleled impecuniosity, they have, entirely unaided by the Government, built up schools and other institutions, supplied public servants for all branches of the administration, sent a fair proportion of their youth—a proportion far larger than that sent by the wealthier Native families—to Europe for education, and in the fighting seasons of British rule have fought and died like Englishmen.

Born of an artificial contact between races occupying different planes of civilization, possessing some of the virtues and weaknesses of either parentage, yet on the whole having stronger affinities with the more robust parent race, the rank and file of East Indians are carefully shut out from the conditions of life which are best calculated to foster their happier heritage, and carelessly abandoned to external surroundings which seem eminently calculated to degrade. There can be no unfairness in describing the active and passive neglect of the State in this matter by the terms “careful exclusion” and “careless abandonment.”

The rapid increase of this population is fraught either with danger or with promise for the English Government of India. It must some day grow into an enormous power for good or evil. The time must come when this population will have multiplied tenfold, hundredfold, even thousandfold, and when every large Indian city will be overrun with men and women of Anglo-Indian birth, whose influence it will be impossible, on any principles of government at all likely to be adopted by the English conquerors of India, to exclude from the larger political experiments of the future. If, then, it be true that a

large proportion of the resident Christian population of India consists of families who are multiplying rapidly on the one hand, while they are unable to do justice to their children on the other; it seems to follow that the country will, as I have said, be overrun with a Christian population of English descent, who will either prove a source of constant irritation to the State, or prove a source of strength to it, according as the State now neglects or accepts the responsibility of doing all that they cannot reasonably be expected to do for themselves.

That such a community is likely to possess claims and advance them, and to struggle for the removal of its grievances, may be taken for granted almost as freely, and with about as much reason, as any other political phenomenon which promises to become an important factor in the future domestic policy of India. What a community of this kind can do at its best can be estimated with tolerable accuracy from the services ordinarily rendered by numberless members of it in almost every rank of society in India, as well as by the behaviour of many of them—all of who were placed in positions of danger—during the Mutinies. What such a community can become at its worst may be seen from, and is well known to all who have witnessed, the condition of its lowest sections in the back lanes of the largest cities of India.

Such a population must find some outlet for its energies, and, if left to vegetate in poverty in large towns, must prove a source of great inconvenience and trouble to future Governments. Even if they do nothing worse than swell the gaol population of the country, the policy which encourages them to do so would represent a bad speculation. The Venerable Archdeacon Baly—who, it would appear from his Paper above referred to, evidently possesses some familiarity with the class, and is not a visionary—seems to believe that they might be treated with more justice than they have hitherto received. Taking, however, the lowest view of the possible contingencies of the future, it seems in every way better that this people should lead themselves to the future efforts of England in India with thankful sympathy, than with a heritage of hate in their hearts.

The grievances of which East Indians complained fifty years ago were in some respects different from what they complain of now. The grievances of those days are very clearly and forcibly put in a Petition to Parliament which was drawn up in the year 1829, but which was not presented in consequence of the unexpected dissolution of Parliament. The bearer of that Petition to England was the late Mr. J. W. Rickotts, whose mission, nevertheless, was anything but barren of good results. To the evidence given by him before the

Select Committee on Indian Affairs, as well as to the representations made by him to the Board of Control and other high officials of that time, may be ascribed, in a great measure, those provisions in the Charter Act of 1833, by which many of the disabilities and disadvantages under which East Indians formerly laboured were either directly or indirectly removed.

One of those grievances—which, I am glad to say, does not now exist—was that a large majority of East Indians were entirely destitute of any rule of Civil law to which they could refer as the standard to regulate their conduct in the various relations of society. Those who lived in Calcutta, within the limited jurisdiction of the Supreme Court, were guided in their civil relations by the laws of England; but the moment they passed beyond that jurisdiction, to reside either temporarily or permanently in the interior, or the Mofussil, as it is called, they were thereby placed beyond the pale of all Civil law, whether British, Hindu, or Mohamedan. By the rigid interpretation which successive Judges of the Supreme Court of Calcutta gave to the phrase “British subjects” in the various Acts of Parliament relating to India, East Indians were excluded from coming under that denomination, and were consequently prevented from enjoying the benefits of the laws of England; and, by their profession of the Christian religion, they were equally debarred from the adoption of the Hindu or Mohamedan Civil law; while there was no other Civil Code to which they could have recourse as their guide in the various transactions and relations of life. However extraordinary the fact might appear, it was nevertheless true that there was no law which regulated their marriages and made them lawful; there was no rule of law which defined the legitimacy or illegitimacy of their issue; there was no law which prescribed the succession to their property; there was no law which pointed out whether they possessed the right of bequeathing by will, and if so, to what extent; there was no law that declared which of their children, or whether one or all, should succeed in cases of intestacy. In these and other equally important particulars they had no law to direct or control them; and they were thus treated as utterly unworthy of any one of those rights which it was the express object of a Code of Civil law to define, and primary design of society and Government to protect. They therefore literally composed a great body of outlaws, not made so by any crimes of their own, and on that very account felt the more deeply the legalized wrongs that had been inflicted upon them, and the contemptuous indifference and neglect with which their anomalous civil condition had been regarded. It was not, however, the invidious judicial construction of the doubtful language of the Acts of Parliament that had

alone tended to degrade their civil condition. That result was owing as much to the absolute and total neglect of their immediate rulers. By a Rule and Regulation of the Government of the East India Company they were, by clear and express definition, included in the class of "Native subjects of the British Government," and thereby subjected to the numerous disabilities of their Hindn and Mohamedan fellow-subjects; while by another enactment of the local Government they were, as belonging to the above-mentioned class, deprived in a body of the protection of the Act of Habeas Corpus. Thus they were, not virtually and by implication, but directly and immediately denied of the first and most important of all civil rights, personal security, and left to be considered as holding their property, their liberty, and even their lives, at the discretion of every powerful public functionary.

Another grievance under which East Indians laboured fifty years ago, and of which I am glad to state they are now relieved, was their amenability in the Mofussil to Mohamedan Criminal law—a law in itself barbarous and imperfect, founded on the most intolerant principles and intimately interwoven with a system of religion, and a state of society wholly opposed to their opinions and habits. Even the modifications which the Mohamedan Criminal Code received in its application to East Indians, instead of softening and mitigating its inflictions, only increased the harshness of its character generally. For instance, by a Regulation of the East India Company, they were made liable, in all cases, to be dealt with as Hindn and Mohamedan Natives of the lowest rank, and to be fined, imprisoned, and corporally punished, not merely at the discretion of the European Judges, or Magistrates, but even of the Hindn and Mohamedan officers of justice; while, from the operation of this very Regulation, not only British subjects—in the restricted application which had been given to that appellation—but also European and American foreigners resident in the Mofussil, were exempted. Thus it would seem that the law recognized the existence of East Indians only for the purpose of punishment, and never for that of protection; while the Criminal Code to which they had been made amenable was distinguished by the intolerance of its spirit, by the aggravated severity of its provisions, by its total incongruity with their religious belief and social condition, and by the deep-felt degradation to which, in its actual administration, they were subjected.

A further grievance under which East Indians formerly laboured was that they were not only expressly excluded from all inferior offices of trust and emolument in the Civil, Military, and Marine Service of the East India Company which were open to "British subjects," by the invariable preamble to the appointment to any of these Services of any

one who was then residing in India—"Provided A B (the person receiving the appointment) be not the son of a Native Indian"—but they were also treated as ineligible to most of the subordinate employments in the Judicial, Revenue, and Police Departments, and even in the Military Service—which were open without reserve to the Hindu and Mohammedan Natives of the country—except on condition of abjuring the Christian faith, in which case their eligibility as Natives of India would be at once restored. These restrictions have now been removed to some extent, but not altogether, as will presently be shown.

In some connection, I may mention that East Indians were formerly expressly declared to be disqualified from holding a royal commission in the British Army. By virtue of a General Order issued by the Commander-in-Chief, happily no longer in force, no person belonging to that class could be recommended in India for any vacant commission in the Royal Army.

Then, again, while, on the one hand, by the limited signification which had been given to the phrase "British Subjects," so as to exclude East Indians, notwithstanding that they were subjects of the British Crown, they were exposed to the intolerable grievances to which I have referred,—on the other hand, by the extended meaning which had been given to the terms "Europeans and Americans," so as to include East Indians, notwithstanding that they were Natives of Asia, they were prevented, except under special licence given and always liable to be recalled, from employing their talents and industry in the service of any of the Native Princes. In both cases, but by contrary means alike cruel and unjust, the one great object of exclusion was effected; and thus, whatever step they took in life, and to whatever quarter they looked, exclusion, disability, and proscription met them at every turn.

And here let me quote in full the concluding paragraphs of the East Indian Petition to Parliament to which I have already referred, and to which I am indebted for much of what I have above stated, as containing a graphic account of the effect produced upon that community by the treatment which they had so long experienced under the Government of the East India Company:—

11. Your petitioners have now briefly enumerated the principal grievances for which they seek redress from your Honourable House; but the statements they have made are very far from expressing the depth and the extent of the degradation which has been entailed upon them, and the numerous ramifications of the evils which they suffer. What they have styled their grievances are not individual cases of grievances, peculiar to one person, one time, and one occasion; but they are

classes of grievances, each class extending to the whole body to which your petitioners belong, and all of them spread over the entire period of existence, pervading every transaction and relation of life, and doubly felt, first, in their own persons and fortunes, and, secondly, in the condition and prospects of their rising offspring.

12. However diversified and pervading the particular effects of the grievances your petitioners suffer, there is one unvarying general result which they produce—there is one point to which they are all made to tend,—and that is, to place your petitioners in the situation of a proscribed class, to prevent their amalgamation with the European population, and to create and perpetuate against them the most mortifying and injurious prejudices. Your petitioners are aware that the abolition of these social prejudices, of which they are made the object, cannot be brought within the scope of legislative enactment; and it is with no such view that they seek for the interposition of your Honourable House. They trust to the loyalty and rectitude of their own conduct for that place and consideration in society which belong to them; but they think they have a right to complain when the acts of the legislative and governing powers, instead of having a tendency to neutralize and destroy the prejudices that exist against your petitioners, have had the direct and certain effect of calling them into existence. Your petitioners neither ask nor expect any special interference in their behalf, but they warmly protest against those invidious distinctions which mark them, in the land of their birth, as outcasts and aliens, bereft of all privileges, and strangers alike to the rights of society and to the feelings of humanity. It is surely not the characteristic of a paternal and enlightened Government, which should be the common and equal protector of all its subjects, to scatter with its own hands the seeds of discord, and to array the different classes of society against each other, in bitter contempt and implacable hatred. Yet such is the undeniable tendency of the exclusive and contumelious system of misgovernment under which your petitioners have long suffered, and which, if continued, must produce in the class to which they belong, hitherto free from the slightest reproach of disloyalty or disaffection, permanent dissatisfaction, and even entire alienation of mind from the British authority in India.

13. Your petitioners disclaim every invidious or unfriendly feeling in the contrast, which they have had occasion to present, of their own depressed condition with the superior advantages and privileges enjoyed by other parts of the population. There are numerous and weighty grievances which they suffer, in common with British born subjects on the one hand, and with Hindus and Mohamedans on the other, but which, as organs of a distinct class, your petitioners have not considered it proper on the present condition to detail. These common grounds of complaint have produced in their minds a sympathy with those classes; and in those instances in which your petitioners labour under peculiar disadvantages, they are far from wishing to bring their fellow-subjects to the same level with themselves, or to claim any exclusive countervailing privilege. Although professing the Christian religion, speaking the English language, and assimilated in dress, manners, and education to their paternal ancestors, they do not, on these or other grounds, ask for any favours or immunities which they would not equally solicit for their fellow-subjects of the Hindu and Mohamedan religions. But being Christians, and descendants of Englishmen, your petitioners humbly submit that it is cruel and unjust to make their belief and descent the grounds of civil outlawry, of degrading disqualification, and of a uniform and persevering course of contumelious and insulting treatment; and that it is especially inconsistent and impolitic in a Christian and British Govern-

ment to adopt and reduce to practice such an odious system of exclusion, and thus to fix marks of deep contempt and degradation on the partakers of their own blood, and the professors of a common faith.

14. Your petitioners may be permitted to observe that, however strong the language they have deemed it requisite to employ in the exposition of their grievances, and however acute the feelings of which that language is the feeble and imperfect expression, they have never lost sight of the obedience and respect which have been claimed by their immediate rulers. From them, indeed, the condition of your petitioners has not received the consideration which they had a right to expect, and which they earnestly hope your Honourable House will bestow. Their complaints, when presented in the most respectful terms, through the proper channels, have been treated as futile and unfounded; nor has any disposition been shown to alleviate the acknowledged extreme hardships under which they suffer. To the East India Company, therefore, in its own character, or to its local Government, your petitioners, as a body, feel that they owe nothing. They have received from it no sympathy or redress—nothing but studied insult, contemptuous indifference, or, at best, empty profession. But in that Company and its servants your petitioners see the legally constituted representatives of British power and authority in India, and they have therefore conscientiously discharged the duties of peaceable and obedient subjects, in the fond, although hitherto vain, expectation that their peculiar grievances would attract the attention of those who have the ability and, they trust, the will to remedy them.

15. Your petitioners hope that it is only necessary to bring to the notice of your Honourable House the evils which have been entailed upon their body to produce at once the disposition to remove them. With regard to such matters as may appear fit for the direct interference of Parliament, your petitioners cannot doubt that an immediate remedy will be applied; and with regard to such as seem to reside, during the existence of the present Charter of the East India Company, within the province of that body and their local Government, your petitioners pray that to them their rights and interests may no longer be committed, without appeal; and that, in any new Charter which the Legislature may grant, a clause may be inserted expressly prohibiting, in all its parts, that system of exclusion directed against your petitioners, which has hitherto formed a distinguishing feature in the policy of the Company's Government. They pray to be delivered from that state of neglect and abandonment in which they have hitherto been allowed to remain, beyond the pale of civil law, ignominiously driven from all community of rights and privileges with any of the denominations of the society in which they reside. They pray your Honourable House to admit them to the fellowship of their fathers, to rescue them from subjection to institutions the most degrading and despotic, and to treat them as subjects of the British Crown, to which alone they recognize their allegiance to be due, and to which they desire to bind themselves and their posterity by the indissoluble ties of justice and of gratitude.

The result of the Petition, no doubt, was the enactment of juster laws and the gradual removal of the legal disabilities which had weighed so heavily on East Indians. But though the condition of that community now is in some respects improved as compared with what it was half a century ago, they still labour under many and heavy disabilities and disadvantages which tend to shut up many an



avenue of honourable ambition and social improvement, and to debar them from that equality of rights and privileges to which, in common with every other class of her Majesty's subjects, they are unquestionably entitled. As stated in the Report of the Committee of the Eurasian and Anglo-Indian Association appointed to organize a Corresponding Committee in London, bearing date the 11th November, 1879, "the chief point to be realized at starting is that legal disabilities, such as those that once existed and could be met with in the Legislatore, have, for the most part, been refined away. The disabilities actually existing, though practical enough, are so worked as not to be easily dealt with. Under the pretence of a necessary freedom of discretion in patronage proportioned to their responsibility, responsible heads of Departments or Subordinate Governments sometimes come to the conclusion that Anglo-Indians are unfit for this or that public service. Whenever such prejudices are deposited in accessible official documents, it is possible to combat them," as in the case of the recent efforts made to exclude East Indians from the Pilot Service and from the Subordinate Medical Service, to which reference will be made more particularly presently.

The East Indian problem has already worked itself out in Ceylon, where an absolute equality exists between East Indians and imported Englishmen, as they have been called. An East Indian—the late Sir Richard Francis Morgan—raised himself there from humble circumstances to the office of Advocate-General, and afterwards of Chief Justice. Public and private offices, not excepting the Legislative Council, are filled with East Indians; and, as observed by a correspondent in a Calcutta paper, if a British regiment were raised there, people would only laugh at any attempt to make or imagine any differences between Ceylon East Indians and Englishmen. Why, then, it may fairly be asked, should it be otherwise in India? While in Ceylon East Indians have from the first been treated as Englishmen, and have proved themselves to be Englishmen, in India East Indians have, indeed, whenever occasion has offered, proved themselves to be Englishmen, but have not been treated as such, except in times of trouble, when a common nationality, which had not previously meant for them a community of privilege, was freely allowed to mean for them a community of danger and a common liability to death. This feeling was very clearly shown during the Indian Mutiny, when East Indians were everywhere gladly welcomed by Englishmen as one with them in blood and interest, but only so long as the danger continued. It is true that, at present, legal disabilities do not stand in the way of persons born and brought up in India; but the discretion neces-

sarily entrusted, in the selection of subordinate agents, to responsible heads of Departments, enables officials who may have a prejudice against colour to create practical disabilities.

Let me now proceed to show in what respects East Indians, although closely allied to the European and Native races, are excluded from almost all those advantages which each respectively enjoys, and are subject to peculiar grievances from which both are exempt.

#### EXCLUSION FROM GOVERNMENT SCHOOLS AND COLLEGES.

The first grievance to which I would refer is the invidious encouragement given to Native education. Whilst separate schools and colleges have been provided by the Government for Hindu and Mohammedan children respectively, no such provision has been made for East Indian children. The only assistance rendered by the Government towards the education of these classes has been in the way of small grants-in-aid to a few of the existing educational institutions established in India for Christian children. In 1860, Lord Canning wrote as follows in reference to them :—

If measures for educating these children are not promptly and vigorously encouraged and aided by the Government, we shall soon find ourselves embarrassed in all large towns and stations with a floating population of Indianized English, loosely brought up, and exhibiting most of the worst qualities of both races; whilst the Eurasian population, already so numerous that the means of education offered to it are quite inadequate, will increase more rapidly than ever.

I can hardly imagine a more profitless, unmanageable community than one so composed. It might be long before it would grow to what would be called a class dangerous to the State, but very few years will make it, if neglected, a glaring reproach to the Government, and to the faith which it will, however ignorant and vicious, nominally profess. On the other hand, if cared for betimes, it will become a source of strength to British rule and usefulness in India.

The Eurasian class have an especial claim upon us. The presence of a British Government has called them into being; they serve the Government in many respects more efficiently than the Natives can as yet serve it, and more cheaply and conveniently than Europeans can do so; and they are a class which, while it draws little or no support from its connection with England, is without that deep root in, and hold of, the soil of India from which our Native public servants, through their families and relatives, derive advantage.

The attempt was then made (as stated by the Venerable Archdeacon Baly in his Paper, before referred to, p. 22), for the first time on any considerable scale, to establish suitable schools for the education of Europeans in India, meaning by "Europeans in India," as I have before explained (*see ante*, pp. 3, 4), all permanent settlers in India but the Native population of India. "Since that time," the Archdeacon proceeds, "some eight or ten hill-schools have been pro-

"vided, of which half the original building cost was contributed by the State, and most of them still receive a small grant-in-aid from the State. But during the same period, the number of European children to be educated in India has enormously increased; so that if all were now sent to hill-schools, the existing accommodation must be considerably enlarged, and the charges must be very considerably reduced, for at present these are necessarily fixed so high for the maintenance of the school, and so slightly reduced to the parent by the Government grant-in-aid, that they are within the reach only of the better classes, and are not even as yet—from one cause or another, but chiefly on account of their cost—entirely filled by them; while nearly all the children of the poorer classes of Europeans who receive any education at all, are only imperfectly and unsuitably educated in the plains. At this moment, between Calcutta and Peshawur, there are not more than half-a-dozen large towns where a European boy can get a good education (to say nothing of a good climate) which will fit him afterwards to get a living."

Citing the passage from Lord Canning's *Minute* above quoted, Lord Lytton, in a *Minute* recorded by him on the 25th of March, 1879, declared that Lord Canning's warning had, unhappily, been justified by the fact, referring to an official statement made two years previously, that there were between 11,000 and 12,000 European and Eurasian children in India growing up without any education at all,—“a scandal to the English name and English Government.” His Lordship went on to observe:—

A few months after my arrival in India I took up this question, which had been for a long time before the Government of India; but, under the increasing pressure of other questions more urgent, though scarcely more important, I have hitherto been unable to advance the practical settlement of it; towards which I regret to find that little or no progress has yet been made. Various proposals have been, from time to time, brought forward, and some of them have been very valuable. The reports, in particular, of the Venerable Archdeacon Baly contain a mass of information and practical suggestions for which the Government is deeply indebted to him. Nothing, however, has been actually done by the Government of India towards applying effectual remedies to this great social and political danger. Nor, as I once before observed, has the Government, up to the present time, even settled the object it should aim at. What are these children to be educated for? And, when this point is settled, how are they to be educated? We cannot hope that measures for the education of destitute European and Eurasian children will be successful if they are undertaken without reference to the means of existence available for such children in after life.

His Lordship cited with approval some remarks made by Sir John Strachey, when Lieutenant-Governor of the North-West Provinces, that “we already offer the means of free elementary education to

"all classes of poor Natives, and we may with equal propriety give "free elementary education to poor Europeans and Eurasians," and that, if Lord Canning's warning, above quoted, be true, "it is as right "to spend public money on the education of poor Europeans and "Eurasians as on any object which can be named." After pointing out that education was one of the services for which financial responsibility had been transferred to the local Governments, and referring to Sir John Strachey's proposal that, when a sufficient number of elementary schools had been provided, a system of compulsory education should be enforced on Europeans in India—a view which was shared by Mr. Egerton, the Lieutenant-Governor of the Punjab, Sir George Conner, the Lieutenant-Governor of the North-West Provinces, and many other very high authorities—Lord Lytton was of opinion that "without such a system (of compulsory education) there can be no "complete or effectual solution of the problem with which we have to "deal."

Subsequently to the recording of the above Minute by Lord Lytton, it would appear from a recent Resolution of the Government of India in the Home Department, under date the 22nd of November, 1879, that the Venerable Archdeacon Baly was invited to draw up a report upon the best measures for giving effect to the views of the Governor-General, in consultation with Dr. Cunningham, the Sanitary Commissioner with the Government of India, and Mr. Rawlins, of the Civil Service. The Resolution goes on to state:—

Archdeacon Baly has now submitted an elaborate memorandum, which, though it has not yet been fully considered or adapted by his colleagues, appears to the Governor-General in Council to contain valuable suggestions which are deserving of consideration, and it raises questions on which further and more precise information is needed. It has accordingly been deemed expedient to publish the paper, and to circulate it to the several local Governments and Administrations in the Presidency of Bengal, and also to the Governments of Madras and Bombay, in order that the various recommendations contained in it may be fully considered and reported upon by competent officers of the several educational departments, and by other persons who have given attention to the subject to which it relates. . . . In the meanwhile the Venerable the Archdeacon has offered to devote the whole of the present cold season to visiting various stations in the Bengal Presidency, and to completing his information on the present condition of European and Eurasian schools, and on the educational requirements of those classes of the community, conferring with the local authorities as to the steps taken. Of this offer, which has been approved by the Bishop of Calcutta, the Governor-General in Council gladly avails himself; and he trusts that the Archdeacon's further inquiries will enable the Government to deal in a comprehensive manner with this most important subject. The Archdeacon will make his proposed tour on behalf of the Government of India in the capacity of "Secretary to the Committee for inquiring into European and Eurasian education."

A grave defect in this most important Resolution, or rather in the constitution of the Committee, was the omission to appoint at least one East Indian on the Committee.

The Archdeacon's report, above referred to, contains two recommendations which ought to be heartily welcomed by the whole domiciled East Indian community. One is the creation of distinct schools for the Christian community of India; the other, the levy of a special local rate for a system of compulsory education. The introduction of a compulsory system of education will also mark an era in East Indian progress. So far, therefore, Lord Lytton has made good a claim to the gratitude of East Indians in his attempt at the solution of what has hitherto been considered a most difficult problem. Until, however, some decided action is taken in the matter by the Government of India, it is obvious that the above Resolution will be a standing witness of the neglect of duty on the part of, or (to use the words of Lord Canning) "a glaring reproach to the Government."

There still remains the question of higher or University education. As to this, it may be said that there are in India several colleges devoted to this purpose which are Government institutions, and the benefits of which are open to youths of all classes, races, creeds, and colours, desirous of taking advantage of them, and able to pay the fees. Able to pay the fees! Aye, there's the rub. I have already spoken of the poverty of the East Indians. Taking them as a body, it may confidently be affirmed that they are decidedly poorer than the Native gentry, and, if regard be had to their respective styles of living, practically poorer than even the lower middle class of the Natives of the country. The policy, therefore, hitherto pursued by the Government in providing schools and colleges for the Natives, and in practically withholding them from the East Indians, would seem to be founded on the principle of "whosoever hath, to him shall be given."

Another reason why East Indians have not taken advantage of these State institutions is the strong objection naturally felt, not only by European Christian, but by Native Christian, parents to have their sons associate with Hindus and Mohamedans in the intimacy of the class-room and the play-ground. If this be a prejudice, it is one to which the Government has given its countenance and sanction by establishing separate schools and colleges for Hindus and Mohamedans respectively, and it is difficult to understand why, in common fairness to them, similar institutions should not be established for Christians.

Then, apart from the moral contamination likely to arise from the herding of Christian with non-Christian boys in common district schools, *The Calcutta Statesman* has pointed out a political danger in the com-

panionship which might thus be formed, and out of which disloyalty to the State might finally arise. Much has been said, and very justly too, of the inherent loyalty of the resident Christian population of India, of all colours and creeds. It must not be forgotten, however, that this loyalty of the East Indian population is owing more to moral sympathies than official theorists, who ridicule the moral element in character, seem willing to believe.

That different measures of State-aid are dealt out to Anglo-Indian and Native education has been clearly shown by the Venerable Archdeacon Baly. At page 22 of his Paper before the Bengal Social Science Association, to which I have already referred, he observes :—

Some four or five years ago I was induced to notice the different measures of State-aid dealt out to European and Native education. It will be unnecessary, therefore, for me now to say more on this point, than that the figures then quoted from the Bengal, Punjab, and North-west Educational Reports showed that while in most of the higher schools and colleges established and maintained by Government for the education of Natives, the State contributed nine-tenths, the Native parent one-tenth of the total cost of the education—in the hill-schools, aided by Government, this proportion was reversed, the European parent paying the nine-tenths of the total cost, and the State contributing the one-tenth.

Under the pressure of this unfair competition with their richer Native fellow-subjects on the one hand, and their brethren from Europe on the other hand, is it any wonder that East Indians, when they find that they are losing ground gradually, should complain of the action of the Government in thus setting up class distinctions to their prejudice, instead of being the common and equal protector of all its subjects, according to the principle that the end of all government is the happiness of the whole community? In corroboration of what I have just stated, let me again adduce the impartial testimony of Archdeacon Baly. At page 24 of his Paper he proceeds to say :—

And this inequality of treatment with respect to education has effected most disadvantageously the position of the European with respect to employment. For, on the one hand, the unwillingness of Government hitherto to contribute a sum large enough to enable him to place his children in good hill-schools, practically has disqualified them from most of the employments for which European labour is required; and, on the other, its liberality in paying a double or treble amount for the education of a single Native pupil in the higher schools and colleges, qualifies him for all employments open equally to Natives and Europeans, and enables him to push out his European competitor, because, being in his own country and a congenial climate, he can afford to work at a cheaper rate.

So long then, as this inequality is maintained, I think that Europeans in India have reason to complain that in the race for employment the heaviest weight is laid on the weakest horse. They start at a disadvantage, having the climate as a dead weight lying upon them from the day of their birth; to which, as they grow

up, the extra weight of a deficient and unsuitable education is afterwards added; and it is impossible that they can ever compete on equal terms with either the Natives of the country or Europeans from home, until the State, without relieving the European parent of one penny of the cost of his children's education which he really able to pay, supplies that portion of the cost which he is as really unable pay. Thus, and thus only, can his children obtain in a climate suited to their constitution an education suited to their needs, which shall fit them to make their own way in the world when they come to men's estate.

This is no more than is done by the Government of England for every child born within the limits of the United Kingdom—no more than is done by the Government of India for the children of the Natives in every large station and town of the country; and certainly no less ought to be done for the children of the Eurasian and Anglo-Indian.

If, therefore, as I trust I have clearly shown, the past educational policy of the Indian Government has amounted to a protective educational tariff, set up in the interest of the Native—inasmuch as, whether he chooses to see it or not, it has given him a virtual monopoly of State colleges and schools—I hope I shall not be considered unreasonable in saying—if, indeed, it has not already been admitted by Lord Canning, Lord Lytton, Sir John Strachey, and other authorities above referred to—that the Government owes some amends to those portions of its subjects whom it has heretofore systematically neglected.

#### EXCLUSION FROM COVENANTED CIVIL SERVICE.

The second grievance of the East Indians which I would notice is their virtual exclusion from the Covenanted Civil Service. Considering that the limit of age has been fixed by the Government at nineteen years, East Indian candidates, in order to compete for the examinations held in London, must, at a very tender age, and at a cost which cannot but operate as an insurmountable bar (except in a very few instances), leave their homes and come to England for education, and be under the charge and oversight, in the generality of cases, of perfect strangers. This will place them under a very serious disadvantage, as compared with the children of British subjects in England, who will be entitled to all the benefits of the examinations in London without incurring the risks and expenses above referred to.

Nor have East Indians been permitted to participate in the benefits of the rules recently made by the Government of India under the Statute 33 Vic., c. iii, s. 4, for regulating the admission in India of Natives into the higher Civil Service. As the construction put by the rules on the term "Natives" makes it embrace all domiciled Anglo-Indians, the Eurasian and Anglo-Indian Association at Calcutta addressed a letter to the Government of India, Home Department, on the 12th of

November last, expressing their hope that, in the selection of Indian gentlemen for employment under the rules, the claims of the resident Christian population of the country would not be overlooked. The reply of the Home Department stated that "although the primary object of the above-mentioned statute was undoubtedly to provide for the appointment of persons of purely Indian birth to offices specially reserved for Covenanted civilians, the terms of the statute admit of the appointment of the classes represented by the Eurasian and Anglo-Indian Association;" and that the claims of such persons of these classes as might be of conspicuous merit and ability would doubtless receive due consideration from the local Governments, to whom a copy of the present correspondence would be communicated. This reply of the Home Department sufficiently indicates the manner in which official subordinates interfere with the clearly expressed intentions of the Government. The text of a Parliamentary Statute having made way for the appointment of "Natives" to offices in the higher Civil Service, and the rules framed by the highest executive authority for giving practical expression to the statute having defined the term "Natives" to mean "all British subjects born or domiciled in India," it is a fair question whether the Home Department did not go out of its province, and most unnecessarily too, in pronouncing the *obiter dictum* that the primary object of the statute was to distinguish between "persons of purely Indian birth" and others. It is to be hoped that this gratuitous expression of opinion will not have any prejudicial effect on the action of the local Governments. It is, however, in every way most remarkable that the first published list of Natives selected for advancement contains the names of no East Indians—a fact to which the Association in Calcutta called the special attention of the Government of India in their letter above referred to. The inference that there are not educated and otherwise qualified East Indians to take their place side by side with the Native gentlemen selected, is, to say the least, wholly unwarranted, and ought not to be entertained for a moment.

But there is a political difficulty in this matter, to which I have been expressly asked to draw special attention. The new Civil Service scheme contemplates a reduction in salary for civilians selected in India. The difficulty begins with proposals to reduce East Indians to an intermediate position between Europeans and Natives, on salaries on which it will be impossible for East Indians to live. If it costs East Indians less to educate their sons for particular offices or duties which they can fulfil as well as Englishmen, it would be only fair to offer them remuneration less than that of Englishmen by the sum



which represents the margin of extra cost to the English father. But if it can be ascertained by inquiry that it costs an East Indian father in India as much at least to bring up his boy for any particular duty or office as it costs the English father in England, and if the two men, when turned out on society in India, work equally well and are required by political as well as social considerations to maintain the same standard of living, then it is mere playing with words to invent an economic distinction founded on prejudice or ignorance.

#### EXCLUSION FROM MILITARY SERVICE.

A third grievance of the East Indian community is their exclusion from the Military Service. The reasons given in support of the former grievance (*viz.*, the necessity of sending their children over to England at an early age in order to compete for the examinations held in London, and the risks and expenses attendant thereon) may be urged in support of the present grievance also, so far as regards the admission of East Indians into the high Military Service—*i.e.*, as Commissioned officers.

Then, again, whilst Europeans and Natives alike are entitled to serve as common soldiers, East Indians are not so eligible to serve in the ranks. The necessity of a reduction in the Military Expenditure of India lately led to the appointment of a Special Commission to inquire into the military system in India, and the practicability of introducing economy into the military administration without loss of efficiency. A serious defect in the letter of instructions written by the Government to the President, in regard to the scope of the inquiries to be instituted by the Commission, and the nature of the report required from it, consisted in its omission to recognize the fact the large domiciled Anglo-Indian population, while capable of supplying troops equal in most ways to British regiments, admitted of being dealt with by such a Commission in the same way, in most respects at least, as Native soldiers; that is to say, though, probably, only to be secured for the pay and allowances of imported British soldiers—and they would be cheap even on such terms, because they would avoid all the numerous antecedent expenses of British troops—they would admit of being otherwise treated as Natives of India, *viz.*, being recruited on the spot and formed into regiments having their reserve depôts within the four corners of the country. It has been stated on good authority in the House of Commons that every English soldier costs in India Rs. 1000 (£100) before he lands in the country. Taking the entire English Army in India at 60,000, and 20,000 or even 30,000 as the number of English soldiers whom it might be considered necessary in any case to

retain, we have a force of at least 30,000 for which it seems practicable to secure more or less efficient substitutes at an initial minimum saving of Rs. 1000 per man, or a total of Rs. 30,000,000, or £3,000,000. Without more distinct knowledge than the public, and probably even the Government, possess of the average stay of the English soldier in India, or, in other words, of the period within which this expenditure of £3,000,000 repeats itself, it is of course impossible to say what annual burden in the form of debt and interest it actually accumulates on the shoulders of the taxpayers. This much, however, seems certain, that if a sufficient substitute can be obtained for this portion of the Army, the whole of this charge is superfluous waste—a waste, too, that is steadily increased every day that the substitute is not employed. Such a substitute, I maintain, is to be found in the employment of East Indian soldiers.

As bearing on the financial view of the matter, let me here draw attention to a scheme propounded by Dr. Chambers, the President of the Eurasian and Anglo-Indian Association, for the organization of a Local Army composed of time-expired soldiers and East Indians. As Dr. Chambers's sketch is an exceedingly brief one, I venture to give it as follows in his own words:—

It has been said that every British soldier costs the State, more or less, £100 before he lands in India. Now, taking the strength of a British Infantry regiment at 1000 men, there would be an initial saving of £100,000 on every Eurasian corps that may be raised to supply the place of a British regiment; and from inquiries made from the recruiting sergeants of the late East Indian regiments and others whose fathers were soldiers in the 1st Madras Fusiliers, I feel confident that in a short time 5000 men could be obtained for military service under Government on the same terms as of yore; the Madras Presidency alone being capable of furnishing 2500 men, the bulk of whom are said to be sons of soldiers.

Assuming that 5000 Anglo-Indians and Eurasians were substituted for the same number of British soldiers, a saving of £500,000 would be effected in a few years. I have not taken into consideration the cost of the out-going reliefs of the 5000 British soldiers and the depot charges of the men who would otherwise be sent out in their room.

In the year 1862-63 the Home Military expenditure for 75,899 men serving in India amounted to £2,139,205, or a little more than £28. 3s a head. In 1877-78 the Home Military charges amounted to no less than £4,168,000, though the numbers had been decreased by 13,000 and the European force is now only 62,000 men. This shows a charge per head of over £66, or more than two-and-a-third times the cost in 1866.

The following statement shows the saving that might be anticipated in the course of five years or so in having a few Eurasian regiments in lieu of British regiments:—

1st year—Five regiments at £100 per head.....	£500,000
2nd „ Interest on £500,000 at 5 per cent. ....	25,000
plus two additional regiments .....	200,000



## EAST INDIA ASSOCIATION.

3rd year—Interest on capital sum of £700,000 for seven regiments at 5 per cent.....	£35,000
plus two additional regiments .....	200,000
4th „ Interest on capital sum of £900,000 for nine regiments at 5 per cent.....	45,000
plus two additional regiments .....	200,000
5th „ Interest on capital sum of £1,100,000 for eleven regiments at 5 per cent.....	550,000
Grand total .....	£1,260,000

When at the end of the fifth year eleven regiments will have been recruited, a saving of 126 lacs of rupees may be estimated, and on each succeeding year a saving of 8,80,000 rupees, which represents the interest of 12 lacs at 5 per cent.

I have thus endeavoured to show that the measure would afford a considerable relief to the finances of India, and in the event of Government entertaining the scheme, it is sincerely hoped that the Anglo-Indian and Enrasian soldier will not be denied the same pay and other advantages which are enjoyed by the British soldier, otherwise it is feared that the service will not be attractive enough to draw eligible men and make it a success.

Although the foregoing figures do not represent the loss by exchange, which may be put down at 25 per cent., it will still be seen that more than sufficient margin will have been left to allow of these concessions.

Now the arguments which tell in favour of the employment of East Indian soldiers in India, not of course to the exclusion of English troops, but as a supplemental army, of sufficient strength to admit of the sudden withdrawal, in cases of emergency, of all or nearly all English troops, are irresistible. All the graver political crises of recent occurrence in Europe and Asia have made it clear to thoughtful men that, if England had by any unhappy accident been involved in any great war, the result would in all likelihood have been disastrous. The question, then, is whether East Indians possess the necessary qualifications of English soldiers in India, and whether men of the kind could be obtained in sufficient numbers to enable the Government to reduce its English recruits to any appreciable extent. In a small book on the "Fortunes of the Anglo-Indian Race," the author, Mr. T. G. Clarke, late Senior Magistrate of Madras, has collected the evidence of high military officers on the subject, some of whom have actually commanded East Indian soldiers. It is interesting to learn that the unanimous testimony of all military authorities, whose experience entitles them to be heard with attention on the subject, has pronounced the best class of East Indian soldier to stand on a footing of equality with the best class of English soldier, in respect of courage, endurance, and discipline, and, as might be expected, to rank rather higher than the English soldier in the physical qualities which enable

him to stand the wear and tear of the Indian climate. *The Pioneer* lately published the following extract from the above book, containing the evidence of Captain Osmond Barnes, late Commandant Lahore Light Horse:—

When the Mutiny broke out, there were but two British Cavalry regiments in India—one, the 9th Lancers, stationed in Bengal; the other, the 14th Light Dragoons, stationed at Bombay. Cavalry was therefore improvised by raising at Peshawur a body of horse; this was chiefly composed of officers and men of the 70th Regiment. Christian trumpeters, bandsmen, and clerks from Native regiments, also joined the ranks. They were called the Peshawur Light Horse. At Lahore a somewhat similar corps was raised, and the two were eventually amalgamated, and called the Lahore Light Horse. From the very commencement the corps was on a European footing; the men were paid, clothed, fed, horsed, and housed exactly as though they were all British Dragoons. The constitution of the corps never materially altered, and in the end it was found to be so expensive that it was disbanded. . . . With the European part of the regiment we have nothing to do; but as I commanded the corps for four years, you will permit me perhaps to say a few words regarding the other two classes—the Eurasians and the Native Christians. It must be borne in mind that the two are totally distinct; the latter we had very few of, as we could fill our ranks with Europeans and Eurasians; still there was quite enough to form an opinion of their qualifications as soldiers. A writer at home lately stigmatized the Eurasians as a body of thieves and prostitutes. I do not know what his opportunities of judging may have been, but I assert that during the four years I was with the Lahore Light Horse I knew of but one case of dishonesty among the men, and a more orderly, quiet, respectable set of women I never saw in barracks. It was hardly possible that crime can long exist without the officers of a regiment knowing it; and as I believe I was as well acquainted with what went on in barracks as Commanding officers generally are, I think I am safe in saying that crime was not there; and that the writer who remarked that "courage and honesty are as rare in the men as chastity in the women," wrote either in ignorance, or to satisfy the cravings of his readers for a sensational, even though totally false, paragraph. It is idle to speculate, with your enthusiastic military correspondent, what the Lahore Light Horse would have done: what work they were called on to do, they did well. One generally knows before going into action what men will come to the front; and from my knowledge of Eurasians as a body, I feel sure they would never have been found wanting. I take it, the qualities to make a good soldier are courage, strength, intelligence, and docility. Many a gallant officer could testify, if he would, to the pluck of that half-caste boy, or "how straight his trumpeter went in that charge." The instances when they have not behaved well are rare. As for their strength, I may mention that in the games where they always took part with the British soldiery, they very fairly held their own. One man we had in the regiment for some years was almost without a rival in many garrisons. As for their intelligence, I think there was no Eurasian in the regiment who could not read and write; and their docility was so marked that there was seldom a regimental defaulter among them. As non-commissioned officers, they were strict and reliable, and compared well with British non-commissioned officers. It is not fair to compare them with Native troops; they are altogether a superior class, better educated, and far more trustworthy. I believe there is not a Native regiment in the Service where some breach

of discipline is not committed every day under the very noses of Native officers and of non-commissioned officers, of which no notice is taken, and that when detachments are away from British officers, slackness ordinarily reigns supreme. With Eurasians this was not the case; when an order was given, the non-commissioned officer saw that it was obeyed. Most men form their opinions of Eurasians and Native Christians (confounding the two) from their position in Native regiments. Without a friend or a comrade, among bigoted pagans, constantly compelled to cry "Unclean, unclean!" they deserve, I think, credit (their enemies would say discredit) for not committing suicide. It is hard to imagine a more miserable, dreary life than that of these poor outcasts. When every one is taught to despise, how can they foster self-respect? In one respect the Lahore Light Horse did a great deal of good: the men were collected; they felt they were to some extent a power in the State; they had respect for themselves, and others in consequence respected them. A regiment *properly organized* now might repeat this good without being at the expense of the Lahore Light Horse. The men might be made thoroughly respectable without being placed in a sphere not their own; they require being formed into a well-governed community; it is their scattered condition which tells so much against them. Regarding Native Christians, in considering their qualifications as soldiers, people are apt to forget that Christinity is a religion, not a country or a province. A Native is a Native, whether Christian, Pagan, or Moslem, and might be made a Sepoy, whatever his creed; and should rise, not by his faith, but his drill. Native Christians I look on as capable of being made soldiers in all respects equal to other Natives of their own districts; they might take their places in the ranks of our Eurasian regiments, but they must be prepared to remain below their co-religionists. No one who has seen the two working together will hesitate to say which are the better soldiers. General McMurdo's plan of Christian companies would not, I think, answer. Antagonistic as Native races and creeds in India are, there is no antagonism among them equal to the universal hatred they will have to the Cross, and none would willingly rub shoulders with the Christian. A Christian regiment would answer better. Whatever the scheme to elevate and occupy the classes under consideration may be, it would be well to remember that widely scattered families are not a community, and that by teaching a man to respect himself, the respect of the world is assured.

The above is the evidence of one who speaks from actual experience of the soldierly qualities and conduct of a regiment got together in a hurry, during the late Indian Mutiny, by recruiting the bandsmen of the mutinous Sepoys corps and other waifs and strays. The interesting feature in all past experiments in East Indian soldiering is that the men, so far from being picked men, have been taken up pretty much at random as they offered themselves all over the country, and that, notwithstanding this promiscuous assortment, they have in every single instance behaved as the best English troops.

The only question, therefore, which it remains immediately for the Government to deal with in a practical way, is whether the supply of this neglected and valuable material is equal to the demand. A correspondence on the subject has lately taken place between the

Government of India and the Eurasian and Anglo-Indian Association relating to the formation of East Indian regiments. It appears from this correspondence that, in compliance with the request of the Government, statistical returns were furnished by the Association prepared from the last General Census of the East Indian population throughout British India, exclusive of British Burmah, with reference to males capable of bearing arms; so as to enable the Government to be informed as to what strength was forthcoming from the East Indian community of the country towards the formation of East Indian corps. Unfortunately, however, some difficulty appears to have arisen by a proposal of the Government to reduce East Indian soldiers to an intermediate position between English and Natives, on salaries on which it would be impossible for East Indians to live. The Association clearly pointed out the impossibility of making any material distinction between British and East Indian soldiers, and they strenuously resisted the proposal of the Government on two grounds—first, that Englishmen and East Indians fight equally well, and ought to be paid equally; and, secondly, that the Indian Mutinies have made it impossible to reduce East Indian soldiers to the level of Sepoys. They also urged the solid objection that East Indians of the better kind could not live on Sepoys' allowances. The idea that East Indians should occupy an intermediate place between English and Natives is one that has long been advocated by theoretical reformers of the country. It has never been suggested that, when required to fight, they should show intermediate courage and spirit; or that, when required to work peacefully, they should exhibit intermediate honesty and moral courage. But the idea seems to be that, as India is the home of resident Anglo-Indians, it is natural for them to work generally on cheaper lines than imported Englishmen. The idea is one that should be examined all round without prejudice, so as to enable East Indians, on the one hand, to make all reasonable concessions to it wherever it is possible to do so on purely economic grounds; while, on the other hand, the Government may be assured that an uncompromising resistance will be offered to it wherever it involves moral or social degradation for the East India race. It is to be hoped, therefore, that the question, whether East Indian soldiers are in any single respect inferior, I will not say to the under-sized striplings now going out as soldiers from England, but to the best type of British soldier imported into India twenty years ago, will be decided by Government by reference to actual experience, rather than by any consideration of prejudiced theories.

With reference to the feeling now prevailing in this country, that Military charges are incurred on account of India in excess of its real

requirements, the Eurasian and Anglo-Indian Association are particularly anxious that advantage might be taken of the opportunity to impress the public in England with the fact that an immediate relief, small in itself for the present, but susceptible of indefinite expansion, might be secured by the enlistment of East Indian soldiers. They desire me to state that various schemes for raising East Indian regiments have engaged the intention of the Government in that country, but that in most of them there have been provisions for introducing invidious distinctions between Englishmen and East Indians, which cannot but prove fatal to any experiments that might be tried. East Indians, they say, have in the past (on occasions of emergency, I presume) been enlisted in British regiments and rendered excellent service; and they feel very hopeful of the good results of any formal and systematic appeal to the mind of the British public on this important subject. In conclusion, they add: "There are large numbers of young men in this country who are almost starving from want of employment, who are kept out of local Police Forces in consequence of the prejudices of petty officials, but who would make good policemen or soldiers; and it will at once give immediate relief to a deserving class, and at the same time open an honourable career for many of our young men, while also effecting some present reduction in military charges, if three or four local European (in other words, East Indian) regiments were created at once."

#### EXCLUSION FROM MEDICAL SERVICE.

A fourth grievance to which East Indians are subject is their exclusion from the Medical Service. The objections already urged, as to their sending their children to England at an early age, and at great cost, to compete for the examinations held in London, will apply to this grievance also so far as regards the higher Medical Service.

As to the Subordinate Medical Department, bold attempts have been lately made to exclude East Indians from it, notwithstanding that it is a department to which they have always been eligible, and in which there are scores of East Indians at the present day, some of whom have received most flattering acknowledgments of their services. One case—that of Master Edwin Ernest Davis—came to the knowledge of the Eurasian and Anglo-Indian Association, and was brought by them to the notice of the Government of India, Military Department, in December, 1878. This lad was passed by the medical authorities on production of his certificates of character, age, &c., as qualified, and was subsequently admitted to compete at a public examination for admission to the Subordinate Medical Service; and after the competitive examination of

his division, he headed the list of passed candidates. To the surprise of all, however, the Surgeon-General, Indian Medical Department, deprived him of the appointment which he was justly led to believe he had secured, having fulfilled all the recognized conditions of candidature under the rules of the department. As Master Davis was, in the first instance, accepted as a candidate physically and morally qualified, and subsequently showed himself also intellectually competent, and nothing had since transpired to render him ineligible in reference to the foregoing grounds, the conclusions forced itself on the Association that the considerations which guided the unusual action of the Surgeon-General were to be looked for in the Eurasian extraction and in the colour of the lad. The Association pointed out to the Government that no notice was promulgated, prior or subsequent to this case, of the intention of Government to exclude East Indians, as a rule, or East Indians of any particular shades of complexion, from the Subordinate Medical Service. They drew special attention to the constructive moral right to an appointment which success in an open competition gives to a past candidate where no special reservation has been previously made. They remarked upon the foregone determination, apparent from what since transpired, of the Surgeon-General to exclude East Indian lads from appointments in the Subordinate Medical Service, without any previous intimation or notice, after freely admitting them to the competition, as aggravating the harshness, not to say the injustice, of his action in the case under notice. They also pointed out the fallaciousness of the grounds urged on behalf of the Surgeon-General, in the columns of a Calcutta newspaper, for the exclusion of Master Davis. One of these ground swas that "the British soldier will not yield to the East Indian that ready and respectful obedience which is essential to the maintenance of discipline in the ward of a hospital." In reply to this plea, the Association observed that for a considerable period, as the military annals of the country would show, the staff of apothecaries attached to British regiments in India had been largely recruited from the ranks of East Indians, without complaints having arisen of want and efficiency or of detriment to the service; that a considerable number of the same class were then enjoying honourable pensions for their past meritorious services in the department; and that, even quite recently, passed assistant apothecaries, who were East Indians, had been attached to British regiments. In further proof of the utter groundlessness of the same plea, the Association reminded the Government that East Indians (when they chose to come over to England and pass the necessary examinations) were deemed eligible for, and actually did hold, important positions in



the higher Medical Service, with credit to themselves, and what was of greater importance in this matter, were appointed Commissioned officers in Her Majesty's British regiments; and they, moreover, denied the fact that apothecaries were called upon to maintain discipline in regimental hospitals, adding that they had ascertained, after careful inquiry, that no such duty was required of apothecaries attached to British regiments, hospital discipline being maintained by the hospital sergeant, and the apothecary being simply required to give his professional services to the inmates. Another reason urged on behalf of the Surgeon-General for his exclusion of Master Davis was that the British soldier had a strong prejudice against colour, and that East Indian apothecaries were unable to "discharge the functions of their office in a manner acceptable to the class of patients concerned." In reply, the Association simply drew attention to the not considerable number of British soldiers in actual service who had contracted marriages with East Indian women of their own rank in life, as plainly negating the existence of any such prejudice.

In thus bringing the case of Master Davis to the notice of the Government, the Association not only prayed for redress for the injustice to which he had been subjected, but also solicited either the issue of orders which should render the recurrence of similar injustice impossible in the future, or the publication, for the information of Her Majesty's numerous East Indian subjects in India, of an authoritative statement of the grounds on which Master Davis had been refused an appointment for which he was not prevented from competing at an open examination which he had successfully passed. Subsequently it incidentally came to the knowledge of the Association that the lad Davis had been received into the Subordinate Medical Department under orders from the Government of India; but as no reply to their representation had been received by the Association from the Government, they sent the Government a reminder on the point, which, however, failed to elicit anything more satisfactory than a bare statement to the effect that no reply was necessary, as the matter brought to the notice of Government had been taken into consideration. But a reply was clearly necessary, not merely as a matter of common courtesy, but also for the information and future guidance of the East Indian community, as to whether their children were to be excluded; and if so, on what ground; or if not, on what conditions they could claim admission.

#### EXCLUSION FROM ECCLESIASTICAL SERVICE.

The fifth grievance of the East Indians—to which I would merely allude in passing—is their virtual, if not absolute, exclusion from the

Ecclesiastical Service. Such appointments are not only made in England, but, with one or two exceptions, have been conferred only on clergymen who have been educated in Great Britain or Ireland.

#### EXCLUSION FROM PILOT SERVICE.

The sixth grievance, of which East Indians justly complain, is their exclusion from the Pilot Service. It appears from Archdeacon Baly's letter, above referred to (pages 29 to 31), and from the official correspondence therein referred to, that the Pilot Service, which at one time afforded a profitable employment to many East Indian young men, has for some time past been practically closed to this class. In an address delivered to the pupils of St. Xavier's College, in December, 1878, the Lieutenant-Governor of Bengal publicly declared that the Bengal Government had at one time been willing to admit into the Pilot Service young men who had been educated in Calcutta, but had afterwards been compelled to bring men on from training-ships in England, because young men in Calcutta were unwilling to enter the service. The Eurasian and Anglo-Indian Association thereupon addressed the Lieutenant-Governor, and, after representing certain facts, ventured to solicit from the Bengal Government a statement of the qualifications considered necessary in pilots. The Bengal Government replied that the training of East Indians, and their general physique and temperament, seemed hitherto to have served to disqualify them for certain pursuits, infentially the Pilot Service amongst others; that East Indian youths did not, as a rule, take to seafaring life; and that it would be useless to post boys fresh from school to the service. In the reply submitted by the Association, it was pointed out that for twenty-five years young men had been occasionally admitted direct from Calcutta schools as leadsmen in the Pilot Service, and had found such training as they had received on the Pilot brigs sufficient for the purposes of their calling; that other young men of the same stamp were willing to follow their example, but were unable to obtain nominations such as these had secured; that other young men still of the same classes who had actually been trained to a seafaring life were also unable to secure nominations for the Pilot Service, which they were desirous of entering; and finally, that a large number of young men of the same class did not take to a seafaring life, because the law (Indian Apprentices' Act, XIX of 1850, Section 5) prevented their doing so. In answer to these representations, the Association were referred to the former letter of the Bengal Government, and informed that Government intended to supply its Pilot Service from training-ships at home. It is difficult to see the force of the comparison instituted by the Lieutenant-

Governor between the general physique and temperament of lads, whose ancestors for three or four generations, as well as themselves, have passed their lives in the trying climate of India, and that of lads brought up in the seaport towns of England. As observed by Archdeacon Baly, if this can with justice be urged as a ground of disqualification against the East Indian lad, it might with equal force be objected, on the other hand, that the East Indian lad, already acclimatized, is capable of more useful service, as a leadsmen or pilot in India, than the English lad who is taken out at fifteen or sixteen, and at that early age has to undergo the process of acclimatization in a calling which necessarily exposes him for many hours together to a tropical sun.

As to the want of a professional training, which the Lieutenant-Governor had urged as the reason of the decision of Government for bringing its leadsmen from the training-ships in England, this objection also, I venture to think, has been most effectually answered as follows by the Venerable Archdeacon :—

If the Government tried the experiment of establishing an Indian Naval School or a few training-ships at the ports of India, of the same kind as the schools and training-ships at home, I believe that a number of the lads might at once be employed in profitable service at sea, who, for want of employment, are half-starved on land. Nor can I see any reason why these, although born and bred in India, especially if taught and reared in hull-schools, or even a fair proportion of those taught in the schools of Calcutta, should not make as good able seamen, potty officers, mates, and masters, as the boys who are taken off the streets of London or Liverpool. But it is evidently in vain for the Government to expect to find qualified candidates in India either for the Pilot Service or the Mercantile Marine so long as nothing is done to qualify them. The man in the moon cannot learn to swim.

Although the Bengal Government possibly intended to inflict no wrong on the East Indian community in the exclusion of their sons from the Pilot Service, yet, as its order practically amounted to the creation of a new civil disability for which no justification could be found either in the good services rendered in the past by East Indians or in their readiness to supply further pilots of the same kind, the Eurasian and Anglo-Indian Association, on the 21st of May, 1879, appealed to the Government of India, Home Department, drawing its attention to the foregoing particulars, and stating that for more than twenty-five years it had been the practice of the Government of Bengal, to admit young men to the Pilot Service from the public schools of Calcutta; and that, if inquiry were made into the matter, it would be found that men of this class (the names of some being given as instances) had done good service to the public, had won the esteem of their fellows, and had been highly spoken of by former heads of the

Marine Department. The Association further stated that evidence was on record in abundance to show that, when an Indian Marine was in existence, and ships belonging to the Government cruised in Indian waters, East Indians flocked to them in large numbers, and rendered good service to the State as officers and engineers. They observed that the double result of the action now taken by the Government of Bengal was that, while, on the one hand, a class of men who had hitherto been admitted into a branch of the public service were now debarred from it, on the other hand, the Bengal Pilot Service had been made more exclusive than any other service in India; and they concluded with the expression of an earnest hope that a consultation with the Government of Bengal might result in the removal, by the latter Government, of the disability which it has created, and in the publication of a statement of the qualifications considered necessary in young men desiring to enter the Pilot Service. If, however, for reasons unknown to the Association, and notwithstanding the facts mentioned, it was considered indispensable that young men educated in Calcutta should receive some other description of training in seamanship than that already received by those of their number who, having been trained as seamen, are unable to obtain admission into the service, or that greater facilities for following a seafaring career should be given to East Indian young men in general, the Association suggested that the Government pilot brigs be used for training young men, and that apprentices be also received on other Government ships. In reply, the Government of India informed the Association that their letter had been referred to the Eurasian Committee, above alluded to, from the composition of which, as has been already stated, East Indians have been wholly excluded. Until, however, this question is finally settled in favour of the community, they will have the misfortune of labouring under a new civil disability of a very grave character, affecting the employment of a tolerably large number of their class.

#### EXCLUSION FROM BENCH OF HIGH COURTS, ETC.

The seventh grievance of the East Indians is their exclusion from the Bench of the High Courts. It is an undoubted fact that hitherto these appointments have been invariably filled exclusively by Europeans and Natives. Whilst one or more seats on the Bench of each Presidency High Court have been carefully reserved for Native pleaders, the claims of East Indian pleaders and barristers to such preferment have been uniformly ignored. Not a single East Indian has yet been appointed a Judge of any of the High Courts—excepting perhaps one,

who, however, by virtue of his appointment as officiating Advocate-General of Bengal, and not *quâ* East Indian, was appointed to *officiate* for a few months as a Judge during the temporary absence of the regular incumbent of that office. The extraordinary tardiness, moreover, of the Government in confirming the same gentleman permanently in his officiating appointment of Advocate-General, and the systematic exclusion of East Indians from the appointments of Administrator-General, Standing-Counsel, and Solicitor to Government, are sufficient indications of the strong current of official prejudice that now prevails against colour so far as East Indians only (but not Natives) are concerned, and of the disposition of narrow-minded officials, so prejudiced, to create practical disabilities. No such prejudice exists in Ceylon, where, as already stated, Sir Richard Morgan rose to become Advocate-General, and afterwards Chief Justice.

#### EXCLUSION FROM LEGISLATIVE COUNCILS.

The eighth grievance of which East Indians complain is their exclusion from the Legislative Councils. Not only are they excluded from the High Court Bench, and till very recently from the Bench of Honorary Magistrates in Presidency towns; but it is no less a fact that not a single East Indian (with the solitary exception just referred to above) has ever been appointed to a seat in any of the Legislative Councils, whether as an official or non-official member, whilst none of the Legislative Councils have ever been without Native members *quâ* Natives. In other words, these Natives would never have had a seat in Council had they not been Natives. Many of them, too, have been appointed on supposed political grounds, notwithstanding that many of them have been nothing better than perfect dummies in the Council, being not only aliens to the British Government, but also wholly ignorant of the language, and consequently of the proceedings to which they are, by some sort of legal or other fiction, supposed to be parties. Whilst, however, this solemn mockery is enacted in India, and Natives are admitted into the Legislative Councils, whether they understand what is going on or not, East Indians have been systematically excluded from taking part in the legislation of the country. As already shown, no such exclusion prevails in Ceylon.

#### EXCLUSION FROM TITLES AND HONOURS.

The last grievance of East Indians to which I beg to call attention is that, whilst titles and honours have been and are being indiscriminately showered upon Europeans and Natives on the occasion of public celebrations and rejoicings, not a single East Indian, as such, has

ever been selected for any such distinction. The bare recital of this grievance will speak for itself and render superfluous a single word from me either in proof of the fact or in demonstration of the injustice done to one class—and that far from being an undeserving class—of the community.

In conclusion, I desire to say that I do not intend for a moment to call into question all that has been done by the Government on behalf of the Natives of India. I merely wish to show the special, the paramount claims which the children and descendants of Europeans in India have on the British public. I need not remind you that the origin of the East Indian community was a necessary consequence of the British occupation of India, and that their welfare is closely connected with the continuance of British supremacy in that country. In support of this latter position, I need only refer to a comparatively recent occurrence. During the rebellion of the Sepoy Army in 1857, the services of East Indians were in great request. Numerous instances are recorded—to some of which I have already alluded—their valour and intrepidity, which were recognized and rewarded by the Government of that day. The merits of this class, however, appear to have been quite forgotten when the occasion passed away; and in this connection, I do not think that I could do better than conclude with a short extract from Archdeacon Baly's thoughtful paper, in every word of which I most heartily agree with him. At page 15 he says:—

Englishmen can never forget that their Government in India is a Government of foreigners. I believe it to be the most disinterested Government which either this country or any country in the world ruled by foreigners has ever had. It is, beyond comparison, better than any Government it had under its own Native Princes, and the wiser among the people know this and confess it. But yet it is the Government of the alien and the conqueror, and, from the nature of the case, has not gained the cordial affection and loyalty of the great body of the people, but is accepted by them as a necessity rather than loved. This is not to be wondered at; there are so wide differences between us and the Natives of this country, in religion, in race, in civilization, in national character, in social habits, and in political interests, that there is small blame to either party. But yet it will be a very long time before the Natives of this country can feel towards us as even the poorest and most despised East Indian. His one drop of European blood, diluted as it is, and his creed, imperfectly practised as it may be, draw him closer to us than their interest has yet been able to draw the vast majority of Hindus and Mohammedans; and in case of any outburst of the latent elements of dissatisfaction, discord, and disorder engendered by the alien character of our rule, it would be of greatest importance to have in such a crisis a considerable section of the population indissolubly bound to it by nationality, religion, sympathy, and interest.

The Rev. JAMES LONG contributed the following paper, entitled "East Indians: their position and prospects":—

As Mr. Sutherland, from Bengal, read a paper on the grievances of the Eurasian community, I shall not go over the ground he takes up, but shall confine myself to two points: chiefly the position of the Eurasian in the race with the Native Indian, and some of the means for enabling him to hold his own.

More than a year ago, I received a communication from Mr. Madge, the Secretary of the Eurasian Association in Calcutta, asking me, as I had been well acquainted with the Enrasians in Bengal, and had taken an active interest in their cause, to take up the question of the position and prospect of Eurasians. I am willing to do so as far as other avocations allow, as I always felt in India that the advancement of the Native races partly depended on the condition that the mixed, or Eurasian, race advanced *pari passu*, as one would drag down the other; and that the mixed race ought to form the missing link between the European and Native, and might serve as one factor in the formation of what is greatly needed in India—an enlightened, steady, middle class. All medical testimony shows that the English race cannot colonize the plains of India—they would die out; but the Eurasians are a permanent element in the country. They may say of themselves, as Tennyson wrote of the brook,

"For men may come, and men may go,  
But we go on for ever."

#### A KNOTTY PROBLEM.

But, strongly as I feel the increasingly degraded condition of the Eurasian, and the formidable evils which loom in the distance from this in relation to British rule,\* to Christianity, and to the welfare of the Native races calling for sharp and speedy remedial measures—yet the solution of the problem is a most difficult one: How is the Eurasian to hold his own amid the advancing tide of Hindn and Moslem progress?

And here I would premise that the terms Eurasian, East Indian, Indo-Briton, Half-Caste, are synonymous—meaning that mixed race in India who have sprung from European fathers and Indian mothers.

\* Archdeacon Baly put this very tersely in his pamphlet on the employment of Europeans in India: "In case of any outburst of the latent elements of dissatisfaction, discord, and disorder engendered by the alien character of our rule, it would be of the greatest importance to have in such a crisis a considerable section of the population indissolubly bound to it by nationality, religion, sympathy and interest."

The term Anglo-Indian, on the other hand, is properly applicable only to those of pure English origin who have resided a considerable time in India, but who do not make it their home, as the country-born generally do. They are also called old Indians, or Qui Hyes, many of whom last century were called Bengal Nawabs, who sat under the pagoda-tree and picked up rupis by bushels.

#### PORTUGUESE AND MIXED RACES IN INDIA.

Our predecessors in India—the Portuguese, Dutch, and French—brought few women from Europe with them, and they formed connections with the daughters of the land. The Portuguese, in fact, held it as part of their State policy to fix themselves in the soil by inter-marriage with Natives. This mixed race, however, from various causes, has sadly degenerated from the type of men brought over by Albuquerque and Vasco di Gama. Their deterioration is not, however, owing merely to climate, for what are the Portuguese even in Europe now? They are in the sere and yellow leaf.

The Dutch have shown more energy, and especially in Ceylon, where their descendants, sprung from Native mothers, still remain, and, under the name of Burghers, hold their own in the competitive race, evincing far more energy than the Enrasians of Bengal. Climate may have something to do with this. The Dutch, however, whether in India or Africa, have had less sympathy with Native races than either Portuguese or French. In Chinsura, last century, a Native, meeting a Dutch official, was obliged to alight from his horse or get out of his palankin until his "High Mightiness" had passed.

#### RISE OF THE EURASIAN FOUNTAIN.

The Englishmen of last century went out to India accompanied by few English ladies, who would not venture on a long voyage of eight months and encounter a hostile climate; but those who did were at a high premium. No sooner had they landed than the race for wives began, and the prize was generally assigned two days after landing. The majority of Englishmen then formed temporary alliances with Native women, and the fathers, being in good positions, provided for their sons in Government employ, chiefly as copying clerks.

#### THE SERE AND YELLOW LEAF.

Section-writing was the grand object of ambition, and all went merry as a marriage-bell; but half a century ago the Eurasians began to awake from this pleasant dream of a monopoly of Government



clerkships; the schoolmaster got abroad, and the Hindus put in their claim for Government employ. The Government admitted the claims of these representatives of the million, and they soon found their work could be done by a Hindu at half the cost; and they saw no reason why they should pay a high salary because a man wore a swallow-tailed coat and a tyrod hat, rigging out himself and family in expensive English fashions. From that time began the rapid decadence of the East Indian, who has not learned to adapt himself to the new state of things; and now, as an additional weight sinking him in the scale, he has to compete not only with the Hindu, but also with the Mussulman, while the sons of men in the Covenanted Service are also putting in their claims, often glad to accept small salaries in these days of unlimited competition.

#### THE STOPPAGE.

The attention of Lord Canning was directed to this state of things, and he wrote, in 1858, of "the floating population of Indianized English, loosely brought up, and exhibiting most of the worst qualities of both races, than which a more profitless, unmanageable community can hardly be imagined." He refers here, of course, to the lower class of Eurasians and Loafers, who, in the expressive language of Archdeacon Baly, their best friend, "have fallen out of all respectable employment through incorrigible drunkenness and idleness. Being past curing, and equally past enduring, there is nothing left for them but the workhouse or the prison." Lord Lytton, the late Governor-General, wrote a Minute in sympathy with the above remarks in reference to what he called "this great social and political danger." The subject was taken up by the local governments, and Archdeacon Baly, at the request of Government, visited various stations in the Bengal Presidency to collect information on the educational wants of East Indians.

#### RACE ANTAGONISM THE DRY ROT.

India has been well compared to Europe in its diversity of nationalities and races, creeds and languages, each race jealous of the other; the Mahratta despises the Bengali, the Bombay Native the Madrassi. We have, in Indian slang, the Calcutta ditchers, the Bombay ducks, and the Madras mulls. But a new fount of strife springs up—the Eurasian despises the Native, the Native spurns the Eurasian, and the Englishman looks askance on both. Should one child of an East Indian be of a lighter shade than his brother, the puler holds the darker in contempt. Race antagonism is, and has been, the curse of India.

Here we come to what lies at the root of Eurasian suffering. Instead of reconciling himself to his position, and adapting his studies and aims to the land of his birth and of his maternal ancestors, he aspires to be *Anglicis angliores*—preferring rather to be reckoned among the "white thrash" than to carve out a career for himself as a semi-Oriental.

Too many of the English in India despise equally the Eurasian and the Native; and, singular enough, though the English is the most mixed race in all Europe, it plumes itself in India on *purity of race versus* the East Indian and Native, speaking of the former as having, in the disgusting cant phrase, "black blood," "a rub of the 'tar-brush';" while the Natives are designated, in violation of all ethnographical principles, as "black fellows—niggers;" those using those epithets adopt the swagger of a party puffed up with the pride of a dominant race. Why should the Eurasian or European be ashamed of Hindu blood? The Hindu is of as pure Aryan origin as the Englishman, and when the English were in a low and wild state, India was distinguished in arts and arms; the English priding themselves *versus* Eurasians and Hindus on purity of race, is a curious inconsistency, seeing that Englishmen justly boast that the foundation of their Imperial greatness lay in their being a mixed race. Phœnicians, Kelts, Romans, Saxons, Danes, Normans have gone to make up that wondrous amalgam called the English race. The only pure race is the Jewish.\*

Mixed races have yet their part to play; like the population of the United States, which will be an amalgam from Europe, though the chief metal will be British.

The problem now is, how to meet the existing evils. Some say it will solve itself (*solvitur eundo*), for the East Indian population will ultimately die out, as the aborigines of Australia have. But of this there is little chance, as history and statistics show, while the constant immigration from England and Australia is increasing the supply. Others think the Eurasians will be absorbed in the Native races, as the lower class of Eurasians in Ceylon have been. This is not very likely.

\* Recent researches have shown that the term Anglo-Saxon race is not applicable to the English. Anglo-Keltic is much more suitable, for the Saxons came few in number to England. So far from the old British population of England (Central and Northern) fleeing to Wales, they remained and furnished wives to the Saxons; hence the mixed race, uniting the *elan* of the Norman, Norse, and Kelt with the dogged perseverance of the Saxon. The Southern and Eastern coasts of England were, however, colonized by Saxons.

## REMEDY I.—ADAPTATION TO, NOT ASHAMED OF, INDIA.

The above considerations lead us to consider the remedies for the condition of the Eurasian. An acute disease requires sharp remedies. One of the first is that they should not be ashamed to be considered semi-Orientals; acting as such, they should open out a new career for themselves. Let them not be ashamed of the land of their birth, let them have something of the feeling of the Hindu lady who, when reproached with not being white, said, "We are the colour of gold; you 'English in India are tallow-faced.'" The Eurasians might in this respect take a leaf out of the history of the Armenians, who, as Asiatic Christians, have maintained their ground among the Indian and other races.

In Russia—where races Asiatic and European are being welded together by the State, and where the Germans, in spite of national prejudice and race antagonism, have won their way and maintained their ground (an encouraging example to Eurasians)—there are examples of men in high position of a mixed race; I know a prince of Tartar origin, as many Russian nobles are, high in Government employ. I was acquainted with the late Prince Cherkaski. He held important administrative posts in Poland, Bulgaria, and Moscow,—the trusted friend of the Emperor. His family came from Circassia. One day I noticed a coarse Asiatic portrait in his study, and asked him who it was; he said it was his great-grandfather, a Circassian. He was not ashamed of his Eastern origin. How few Eurasians, I thought, would have acted similarly! Pushkin, the great Russian poet, had African blood in his veins, and was proud of it.

The Eurasian is ashamed of his Indian connection, and, like Young Bengal, is aping everything English; he has to pay dear for it, in the increased cost of food, clothes, and household expenses. Had he aimed at an enlightened Orientalism, and studied the Oriental languages, adapting himself to Eastern life, he might have proved an invaluable connecting link, and a happy medium for reducing the friction between the Hindu and English races. Certainly, in the Mutiny the Eurasians exceeded the British in their bitterness towards the Natives in many cases. But, alas! the records of our Asiatic and literary societies show few productions of the Eurasian pen. They have added little to our knowledge of the statistics and sociology of India, though often placed in a very favorable position for communicating information. How painful it is often to witness in India that Eurasians and Hindus, when they meet, it is not a contact, but a collision; they lead a cat and

dog life, snarling and growling at each other !\* I write these remarks more in sorrow than in anger, as a sincere friend to the Eurasians. But I believe you must probe a wound before you can heal it.

Sympathy for India, arising from a knowledge of it, would remove much of this nnadaptness, as it did when the Joneses, the Colobrooks, the Wilsons, and others—the great lights of the East India Company.

#### REMEDY II.—INDUSTRIAL EDUCATION.

Driven from the field of clerkships and copyists by the Hindus, and from work requiring strong physical powers by the English, while the Chinese compete as carpenters and shoemakers, there remain industrial pursuits and light hand labour. Even here they will encounter considerable competition ; but they must meet that by lessened expenses, arising from adapting themselves more to the habits of the country. Many of them must come down from their stilts where they have been playing the Spanish Don or the Irish Squireen. They require, then, a thorough industrial training, so as to lead to improved physical qualifications. Archdeacon Baly insists here on the necessity of Government establishing industrial schools : “ It is evidently in vain for the Government to expect to find qualified “ candidates in India, either for the Pilot Service or the Mercantile “ Marine, so long as nothing is done to qualify them. The man in “ the moon cannot learn to swim.”

In order to work this out, the Eurasians have a strong claim on the funds of the State, which have hitherto done little for them.

#### REMEDY III.—COLONIZATION IN THE HILLS.

This is a project often advocated. There are difficulties in connection with the acquiring land and with Native competition, but as small capitalists and superintendents of labour, some might find a sphere. The Valley of Kashmir, were it free, might afford a splendid opening.

#### REMEDY IV.—EMIGRATION TO AUSTRALIA OR NEW ZEALAND.

The Colonial Governments do not seem very favourable to this,

\* Our quondam rivals in India, the French, whose career is so graphically painted by Major Mallison, did much by East Indians ; and it is recorded of their ablest administrator, Dupleix, that he owed much of his success to his East Indian wife, who, by her knowledge of the language and the country, served him as an invaluable mentor.

having a suspicion that the Eurasian may be too inert for farming, and not trained to rough it. This objection might, to some degree, be met in time by giving an industrial and agricultural training on the hills, which would give them a better physique and more practised skill. How is the Eurasian to acquire the Englishman's physique without the Englishman's climate?

#### A SILVER LINING TO THE CLOUD.

All is not dark. The hill-schools founded by Bishop Cotton have proved a great success; they only need enlargement, and more of industrial training in connection with them. The Sisters of Charity on the hills and plains of India have established schools that have been of great service to East Indian females—a much neglected class; their openings for employment are few, while marriages with Europeans are becoming rarer and rarer; and the Jesuit Fathers have worked in parallel lines in connection with the males. In a past generation the Skinners of Delhi held their own in military enterprise; while Bowley, of Chunar, in connection with the Church Missionary Society, was pre-eminent for his missionary qualifications. Calcutta had such men as Ricketts, De Rozio, Montague, Byrne, who distinguished themselves; at the present day we have a Miss Fendal, who, in the management of the poor, is pre-eminent for her skill; we have Mr. Kennet at Madras, and Sir W. Kellner, who is so distinguished as a financier; many others could be named, which shows what can be done by God's blessing.

#### URGENT ACTION NECESSARY.

There may be, ere long, severe struggles in India, confusion and disorder, and the Eurasians, as a class, may be depended on to throw in their weight on the side of European civilization and rule.

Europeans in India have done little for the education of this class; and they set them in former days a bad example. They are bound, therefore, to give compensation for past neglect—to be as the Good Samaritan, and not as the Levite, turning aside. We are not to have a new species of gipsy in India to add to the tide of European loafers. We have to face this state of things. Let us not, like the ostrich, shut our eyes to the enemy pursuing, and thereby imagine we shall escape the danger; and above all let us view the mixed races, not with the eye of contempt, but of pity, remembering we are our brother's keeper.

I will conclude these brief remarks in the words of Archdeacon Baly in 1879, who has exerted himself courageously in leading the

forlorn hope: "This subject has been written about in the newspapers, "talked about at public meetings, and thought about in the Council "of the Government of India; but as yet nothing has been done "about it, and the question now seems to be precisely where it was "some five or ten years ago."

The Noble CHAIRMAN having invited discussion,

General Sir ORFEUR CAVENAGH, K.C.S.I., said: My Lord, Ladies, and Gentlemen,—I think we are greatly indebted to Mr. White for having pleaded the case of a most important class in India, a class to which I think hitherto but scant justice has been meted out. It is, moreover, a class which has peculiar claims, as Mr. White has pointed out, upon a British Government, because it is attached to us not merely by the ties of blood, but also by the bond of a common religion, and, I may say, a common feeling of loyalty to the State. Now I would not for a moment advocate that certain appointments should be reserved specially for special classes, but I do hold that the fact of being an Eurasian, should certainly prove no bar to a candidate enceeding to an appointment for which he was in other respects eligible and duly qualified. In fact, an Eurasian, in my opinion, should be placed upon exactly the same footing as the other Indian born subjects of Her Majesty. (Hear, hear.) A reproach that used to be cast upon the Eurasian community is that of their great want of energy, and I am bound to confess that, during the Mutiny, when I received permission to raise a corps of Eurasians, I was sadly disappointed at the paucity of the number of recruits who offered themselves. I think they barely mustered 120, although they were placed on exactly the same footing, in every respect, as the European troops, whilst amongst those who did come forward and were enrolled, there was certainly on the part of several an appearance of physical weakness. Though this remark, strange to say, did not apply in any way to those who came from Madras, for the few who arrived from that Presidency, were as sturdy robust men as an officer could wish to have under his command. That reproach, however, can hardly now be deemed applicable to a community which has established the Association of which Mr. White has just given us such a very interesting description. I think that Association has shown clearly how fully its members appreciate the value of self-help, and those who know the value of self-help, and act upon their knowledge, are certainly deserving of the assistance of others. I therefore earnestly hope that the result of Mr. White's visit to

England may be a most full recognition of the right of the Eurasian community to participate, both theoretically and practically, in all the advantages that are enjoyed by Her Majesty's subjects of every other class and creed. We shall, I can assure him, watch with very great interest the working of the experiment to which he has referred, and gratefully receive the reports which he has promised to forward. (Hear, hear.) I can only regret that, owing to an engagement, I am obliged to leave, and am therefore unable to move the vote of thanks which I am sure will be accorded to Mr. White for his valuable paper. (Hear, hear.)

Mr. DAVID NASMITH: My Lord, Ladies, and Gentlemen,—I really feel that I ought to apologize for venturing to make any observation upon either of the two papers that have been read, and I can only do so upon the ground that I take great interest in the advancement not only of our brethren in India, but of the whole human race. It is a subject to which I have been for a long time and still am giving my attention. And what appears to me the most extraordinary thing is, not that we should have papers such as these, but that such things as these papers speak of should now possibly exist in any civilized organization. That is what I cannot comprehend. Things that were possible in ancient times amongst other people ought not to be possible with us. We belong to the whole world; our institutions are over the whole world, and every person over whom Her Majesty's flag flies is one of Her Majesty's subjects, entitled as one of Her Majesty's subjects to fair play with all the remainder of Her Majesty's subjects, and, if I understand these papers correctly, there is one and one simple proposition put forth, one simple claim made, one simple request asked, Give us all fair play; do not make any office, be it what it may, absolutely inaccessible to an Eurasian or by any other person in India, but if a subject whoever he may be, wherever he may be, shall by those whose duty it is to appoint, be found capable of filling that position, let him at all events have the chance of doing so. That I believe to be the proposition, and the efforts of Mr. White appear to me to be directed to the very best way of ultimately bringing about that end. There is no question whatever, taking the history of all the world, with which we are acquainted, that people in the position of Eurasians, are those who are worse treated and always have been worst treated. They are not looked upon with respect by the natives of the country where they are cast. They are despised by those to whom they naturally belong. Therefore contending against two powers, they have never had either in India or

elsewhere what may be termed a fair chance. But here we have a scheme which is to enable them to elevate themselves, giving to them that assistance to which they are entitled in the name of reason, and opening to them the possibility of entrance into any branch of Her Majesty's service. I could not help smiling at one portion of the paper—that which alludes to the exclusion of the native from sacerdotal office. That was the last office that the unfortunate plebian of Rome was allowed to enter, and I trust that before long those of the Indians who desire to enter it, will have the opportunity of doing so. (Laughter.)

Captain GRIFFIN W. VYSE, who was called upon to speak by the Noble Chairman, said: My Lord, Ladies, and Gentlemen,—I do not think I can add anything to what we have already heard from Mr. White. My experience of India was principally in the Panjab, and on the Afghan frontier, and there the Eurasians are valued on their own merits, and are certainly not held in the same contempt as they are in Lower Bengal. We have had some magnificent specimens of Eurasians in the North-West Provinces and Upper India. I need only refer to the late Colonel Skinner, of Skinner's Horse; General Van Cortlandt; General Harvey; General Rigny; Colonel Baillie, Inspector-General of Panjab Police; Mr. Olliver, C.S.I., late Commissioner at Delhi; Mr. H. Garbett, Supt. Engineer, P.W.D., Panjab; Colonel Norgate, Cantonment Magistrate, Sealkote; Colonel Stewart, Cantonment Magistrate, Meer Meer; Captain Pippin, D.S.P., and Captain Jones of the 23rd R. W. F., of Minty fame; the late Mr. R. C. Coles, Political Agent, Najode, and Major Scott, V.C. 3rd Panjab Infantry, who won the Victoria Cross at Quetta, when Lieut. Hewson, R.E., was killed, and Sir R. Sandeman's life threatened. And there are other well-known Eurasians who have risen to some of the highest appointments under the Crown, with the Governments of the Panjab, and the North-West Provinces. Mr. White has told us,—I was not aware of the fact, but of course he knows a good deal more about the subject than I do,—that there were no schools for Eurasians; but I was under the impression that the La Martiniere College, Lucknow, and the Lawrence Military Asylums at Sanawur and Murree, were principally for these half-castes, and children of soldiers. I have had a great deal to do with Eurasians in various capacities in Upper India, as clerks, artisans, overseers, surveyors, and in other appointments in the P. W. Department, and I have always found them most loyal, industrious, thrifty and trustworthy. As soldiers during the Minty, we know how true and loyal they were to us,



and in some cases, as Kavanagh of Lucknow, for instance, they distinguished themselves very greatly. I only hope the Government will not lose sight of all the good services Enrasians have rendered us. It is a duty we English owe them, and they may become the source of a great political evil if we do not extend to them the same rights, privileges, and encouragement that have been given them in days gone by, and which most certainly a Liberal Government should extend now to the Enrasians of Bengal and Madras. (Hear, hear.)

Mr. W. MARTIN WOOD: My Lords, Ladies, and Gentlemen,—This is not a large political question, but it is a peculiar one and just one of those that cannot be readily understood through any amount of study by those who have not been long in India; though Mr. Nasmith, who spoke just now, seemed to grasp the position very fairly. His mind naturally revolts against the invidious and unfortunate position in which a large part of the Eurasian population find themselves. In this, as in so many other matters, there are differences in the different provinces of India. Its pressure has not been felt so much in Bombay. And I must admit that I did not myself realize the depressing and gloomy prospects of this community so much until a friend of mine, connected with the Bombay School of Arts, in the course of a tour in Bengal had made it his business to go into many of the lower quarters of the city of Calcutta. He told me that the impression he then gained of the condition of the Eurasian population in that eastern capital of India was most oppressive and hopeless. And for my own part, though the subject often came before me, there seemed to be no way out of the difficulty until, I might almost say, Mr. White arose as a leader. (Hear, hear.) It is true there were pioneers some years before Mr. White, of whom Dr. Chambers, of Calcutta, is one who has been mentioned here, and others—to say nothing of Archdeacon Baly. But the Archdeacon's report alone, as you will have seen, brings out the exceeding difficulty of the question. You cannot give exceptional privileges to these people whatever may be the feeling of commiseration for their miseries and oppression, because the principle is that all the people of India must be treated fairly before the law; and you must remember they are, after all, a very small minority amidst the immense masses of India. But the difficulty will in a great measure be got over by Mr. White and his friends who have frankly accepted the position that they are natives of India, and as such they have the full right of all our other subjects there. In these matters you are always safest in going upon the general principle that in the eye of the State all its

subjects are equal; and, as one gentleman has just said, it is monstrous that there should be any special exclusion. (Hear, hear.) I was not aware, and I do not think that there is any prescribed exclusion; although, as Mr. Sutherland points out, that such exclusion arises in the discretion, as it is called, that is allowed to heads of departments and local authorities to pick and choose those who shall be their immediate subordinates. Well, that discretion must be allowed more or less to every responsible officer; but I think the corrective for that is the sentiment of fairness and justice. The principle of treating all classes and castes alike in the eye of the State should be inculcated. Every Indian administrator knows full well the value of this class, and it could not have been put better than it is in Lord Canning's Minute which Mr. Sutherland quotes, in which Lord Canning says of the Eurasian class:—"They serve the Government in many respects more efficiently than the natives can as yet serve it, and more cheaply and conveniently than Europeans can do so; and they are a class which, while it draws little or no support from its connection with England, is without that deep root in, and hold of, the soil of India from which our native public servants, through their families and relatives, derive advantage." All of us who have been in India can testify to the efficiency, the value, and the trustworthiness of this class; but we come to the question, How shall they be enabled to rise out of that class? We must be ready to do all we can to sympathize with, to assist, acknowledge, and support any practical measures that men like Mr. White and his associates, who have studied the subject so deeply, can point out. (Hear, hear.) Several of these exclusions that are mentioned in Mr. Sutherland's paper, are, I think, already melting away; but the grand thing with regard to the movement that is brought before us by Mr. White is, that it is a development of self-dependence or "self-help" as the term is. If that can only be worked out by themselves there will be a way open for men of that class to any position that is open to the people of India, even to the Bench of the High Court. I was not aware that there was any special exclusion of gentlemen of that class from such judicial position. You must remember that such positions cannot be obtained without a large amount of culture, without special abilities and acquirements; and as men of this class do attain those acquirements, I feel satisfied that they will be admitted to those positions. That must follow as a matter of course. (Hear, hear.) I think the sentiment of equality which is already acknowledged by the Government of India itself, and especially by public opinion in this country, will support that course. Mr. Sutherland also speaks of exclusion from titles and honours, and

exclusion from the Legislative Councils. But there is a noted case in Madras where that assertion is refuted, where a member of that community has attained the highest position that any non-official person could and has also been admitted into the Order of the Star of India. I should be glad if we could—our Association or any individual member of it—do anything to promote in a practical way the suggestions that Mr. White and his friends may make. I am exceedingly glad that he has brought this matter before us, not only for the sake of his own paper, which is a model of brevity, but because it has brought out of obscurity the other valuable contribution which was written by Mr. Sutherland some time ago, and which we shall now get into our *Journal*. The Rev. Mr. Long, one of our most valuable members, has also written an excellent note on the position and prospects of East Indians. He is exceedingly competent to speak on that subject, and I trust that when these papers and this discussion are published in our *Journal* Mr. Long's paper may also appear. (Hear, hear.)

Mr. C. W. ARATHOON said: Lord Stanley, Ladies, and Gentlemen,—Within the last three or four months the East India Association has brought before the public for independent and disinterested discussion several very important subjects, beginning with Mr. Keene's paper on the Government of India on Liberal, or to use perhaps a more suitable word, enlightened Principles; then the paper by that excellent lady Miss Florence Nightingale, on the Bengal Tenant Bill, followed by two meetings to discuss Mr. Elliot's paper on the Ilbert Bill; and last, but not least, in fact of greater importance and benefit than the others, Sir William Wedderburn's admirable lecture upon the help that should be given to the poor illiterate ryots of India by the establishment of Agricultural Banks. But, I venture to think, that second to none of the subjects I have mentioned is this question that is now before us, of the welfare of the Eurasian and domiciled Anglo-Indian community of India. I think that both morally and politically this question is of the last importance, and it is due to the Eurasians that help should be given to them, which we morally owe to them, their very existence being due to the landing of Europeans on Indian soil. You have heard the words used by Lord Canning in 1860, given in Mr. Sutherland's paper:—"The Eurasian class have a special claim upon us. The presence of a British "Government has called them into being." And, politically, at the present time, when discontent and ill-feeling towards the Europeans, unhappily, seems to be on the increase, it is of the utmost consequence to this country and for the good of the

inhabitants of India generally, that their help, their goodwill, should be more assured towards us than it is already, by the mere fact of their European descent and a common faith. Mr. Sutherland concludes his paper by quoting a passage from the Venerable Arch-deacon Baly's paper, written after thorough study and research in the matter, and I draw your particular attention to what he says of the closer union of the Eurasians and of the importance of having them in a crisis indissolubly bound to this country. I draw your attention to this passage more particularly because I see a report in that valuable paper, *The Indian Daily News*, of a meeting of the Anglo-Indian Association at British Burmah, where Mr. Claridge and Mr. Hamilton advocated the support of the Ilbert Bill on the ground "that as Anglo-Indians and Eurasians were classified as natives of India by the Government of India, it would be more to their advantage to unite with the natives than with the Europeans, the more so as the Europeans, when once their object was gained, would throw the Eurasians over." Now I think it is a very dangerous thing if that really becomes the feeling of some 30,000 Eurasians and domiciled Europeans in India. We know that at the time of the Mutiny in 1857 what help they gave the British. If we were ready to receive help in time of danger and trouble, should we when the danger is past throw over the comrades, the friends in need, whom the proverb tells us are the friends indeed; should we not adopt the advice of Polonius to his son—

"The friends thou hast and their adoption tried  
Grapple them to thy soul with hooks of steel."

(Hear, hear.) I am very glad to see, however, in the report I have referred to, that the chairman (Dr. Marks) said that he had consulted several Europeans, and that they had assured him that they did not mean to throw over the Eurasians, and I think the feeling of this country should be clearly shown in their favour. (Hear, hear.) Now, looking at the two papers that have been read this afternoon, they present two different pictures. My esteemed and learned friend, Mr. Sutherland, gives you the grievances of the East Indians, grievances many; on the other hand, you have the bright side of the picture displayed by the worthy and able President of the Southern Eurasian and Anglo-Indian Association, from which we see what can be done by a good organization and such help as that which has been rendered by the Maharajah of Mysore, and if they persevere and go on in the right path they are now in some help from the British Government may be given to them; they are worthy of it in my opinion. Now, looking for a moment

more carefully into Mr. Sutherland's paper, we see that the crying evil at the root of all others is the want of proper institutions for education both elementary and higher, the insufficiency of State aid rendered to the Eurasians as compared with that given towards the education of the Hindus and Mohamedans. Mr. Sutherland has gone very fully into this matter, and one cannot help coming to the conclusion that the injury is great and requires a speedy and efficient remedy, or to use Lord Lytton's words expressed in 1879, "A scandal to English name and English Government." Now there are two grievances which I should like cursorily to notice. First the exclusion from the Bengal Pilot Service. It appears from a memorial presented to the now Secretary of State for India, dated 1st February, 1883, that the Eurasians and Anglo-Indians for fifty years before the year 1870, trained in India, have rendered efficient service, so much so, that most of these pilots were promoted in the service, and yet this door is now barred to them, the Government of India having arrived at the conclusion that there were no means in India for giving a proper professional training which could only be had in this country. I confess that this seems to me an utterly unsatisfactory reason. The other grievance arises from what is known as the Roorkee College resolution of the 11th November, 1882. That resolution virtually puts an end to the appointment of Eurasians in the Public Works Departments, which are to be bestowed only on natives of pure Asiatic descent, notwithstanding that the College is stated to be "designed" "to give theoretical and practical instruction in civil engineering to Europeans and natives with a view to their employment in the public works of the country according to their several qualifications and the requirements of the service." I think these subjects show that justice is not meted out to the Eurasians in the same degree as to the pure native population of India. I say that they ought not to be placed on an unfair footing, but on a level with their co-inhabitants of the soil; the several services to which Mr. Sutherland has referred ought to be equally and in the same measure open to them to enter. And the same facilities should be accorded to them for the education of their children as to the pure natives. (Hear, hear.) I should like the President (Mr. White) in his reply, if he can, to explain a little more what soldierly qualities he supposes the Eurasians and domiciled Anglo-Indians to possess. He states in his paper, "I beg to put it here to the East India Association, whether the time has not come for them to make a representation to Her Majesty's Government to the effect that all Eurasians and domiciled Europeans in India should be embodied in what I would call a

"reserved force." And if he can further explain the system of colonization he has alluded to in his paper, I have no doubt that the meeting will be glad to hear it. (Hear, hear.)

The Rajah RAMPAL SINGH: My Lord, Ladies, and Gentlemen, —I have read these two papers with some care, because I am very much interested in the welfare of India and all belonging to it. I find some difference in the principles respectively laid down in these two papers. The paper written by the President of the Society is based upon what he calls self-help; the other paper relies upon the fact that this class are really the descendants of the conquering race. With that latter principle I am not quite prepared to agree, because although they may have descended from English parents they yet belong to the soil of India; and whatever be the circumstances they have never yet been recognized by their ancestors on any terms of equality. Nor have they shown in these papers any rights or property which they have inherited from their European progenitors in India; even from this paper we see that the Maharajah of Mysore has granted them a large tract of land of 4000 acres upon which this attempt at colonization is to be made. Under the circumstances, therefore, I should say that they ought to claim only those rights and privileges which are given to Indians, and no more. Mr. Sutherland, dealing with the military part of the question, wants the Eurasians to assume a median position; he says that they cannot adopt the position occupied by the Sipoys, and on the other hand they cannot be put on terms of equality with English soldiers. Now, in India, there are three great divisions, the Hindus, the Mohamedans, and the Christians, each forming as it were a nation separate and distinct from the other. Now the Eurasians, who will not be admitted by the pure English community on terms of equality, must, I submit, be content to have exactly the rights and privileges which are enjoyed by the Indians. And why not adopt that position? There is ample proof in history of the bravery of Hindu and Mohamedan soldiers; if the people of India are brave, if they are worthy of any privileges, then the Eurasians, sharing the same blood, are equally brave and quite as much entitled to those privileges. I do not see on what ground it can be contended that whilst Hindus and Mohamedans are qualified to compete in the Civil Service and fill other high and responsible positions, the Eurasians should not have the same advancement open to them. I am very pleased to hear of the formation of an Association of this kind in Madras, and I hope the example thus set will be followed in Calcutta and other parts where Eurasians exist, and I am confident that if the

aims of Mr. White and his friends are attained the Eurasians will prove worthy and loyal subjects of Her Majesty—as worthy and loyal as any class in India. (Hear, hear.)

Mr. JOHN SHAW: My Lord, Ladies, and Gentlemen,—I should like to say a word or two about Mr. Sutherland's paper, which seems to me very much out of date. With regard to Mr. White's paper, I have no remarks to offer, except to thank him very much for the energy he has shown in the cause of the Eurasians. It is very good news that he has brought to me from Madras. I left India when he had only just commenced his work and I am very glad indeed to find that he has made such progress. The difficulty of getting the East Indians of the lower class to take to the lower forms of labour, instead of seeking to live on the alms of the public, seemed to me when I left Madras to be almost insuperable. It is most creditable to Mr. White and those who have worked with him to have done what they have in that respect. Referring to what Mr. White says about the soldierly qualities of the Eurasian, I can confirm his statements from my knowledge of them as volunteers—but I suppose General Cavenagh, who unfortunately has had to leave the meeting, would say that did not go for much. (Laughter.) I am exceedingly glad to read what Mr. White says about the *Soucars*. I know a good deal about the relative positions of the *Soucars* and the East Indians during the time I was in India, and the difference which this scheme is reported to have effected is indeed a glorious achievement. But to return to Mr. Sutherland's paper, there are one or two points on which Mr. Martin Wood has already touched, but there are some others which I think should be noticed. One is as to the rapid increase of this Eurasian population. It has often struck me as an extraordinary thing that there is no such rapid increase; and perhaps it may be explained in this way, that what may be called the lower class of them get gradually absorbed into the native community, and the higher class of them get absorbed into the European community. They cease to be known as East Indians; many of them who have got on well come home to England where nobody knows them as Eurasians, and probably their sons go out in the Civil Service, or in other capacities. I remember its being said that there were in a certain British regiment, then stationed in Madras, two or three men who were really East Indians, and who could not have got into the army in India. I need not now touch upon the alleged exclusion from the Medical Service, and from the sacerdotal class, but I will go at once to something more immediately within my cognizance, viz., the

exclusion from the Bench of High Courts, etc. I believe Mr. Sutherland has this in favour of what he says, that no East Indian has yet been appointed a Judge of any of the High Courts. He admits, however, that we have had an Acting Advocate-General, acting as a Judge of the High Court, and that in itself is quite a sufficient answer to what he says. The reason why no others have been appointed, is simply that none of them have come so prominently forward as to entitle them to look for such an appointment—at least I do not know of any East Indian who has come forward at the present moment, or who is likely to do so, unless it be Mr. Arathoon here.

Mr. ARATHOON: Not Mr. Arathoon, but there are some, I think, who are able to come forward—in Calcutta for instance.

Mr. SHAW: I beg Mr. Arathoon's pardon—I ought to have recollected that he is not an East Indian, but belongs to one of the purest and most ancient races of which we have any knowledge—the Armenian. But he and the gentlemen at the Calcutta Bar to whom he has referred may be appointed judges yet. I do not know the Calcutta Bar sufficiently to say whether there have been any passed over. What I must strongly object to is Mr. Sutherland's statement (though no doubt it is perfectly true) that in the one instance to which he has adverted, the East Indian gentleman was appointed "by virtue of his appointment as officiating Advocate-General of Bengal" and not *qua* East Indian." I entirely agree with the Rajah Rampal Singh, that we ought not to have these distinctions; we do not want people appointed *qua* East Indians or anything else; let us have the best men for the place and let us do away with all this nonsense about race altogether. (Hear, hear.) What would England have been if it had studied race? Look at Lombard Street; at Spitalfields; at our late Prime Minister; we take everybody who is worth anything and it is better that we should. (Hear, hear.) Then Mr. Sutherland talks of the "systematic exclusion of East Indians from the appointments of Administrator-General, Standing-Counsel and Solicitor to Government." As to the first—the office was held in Madras some time by an East Indian gentleman, who at the time of his appointment was Acting-Solicitor to Government. As to another very important office, that of Registrar of the High Court, the gentleman who, I believe, still fills that post in Bengal is an East Indian. Then again we had in Madras a very distinguished East Indian whose loss we all very much deplored, Mr. T. G. Clarke, who filled the office of magistrate in the presidency town for many years. Mr. Sutherland actually refers to him in his paper as late Senior Magistrate of Madras. Then with regard to the exclusion from the legislative councils and from



titles and honours, Mr. Martin Wood has already told us of one exception to that rule in Madras; but he might have kept a little nearer home. In Bombay, if I mistake not, the late head of the police was an East Indian, and he has certainly not been excluded from titles and honours. In conclusion, my lord, let me say this: we have heard that Mr. Sutherland's paper was written sometime ago, and I think it is a pity it was not revised before being presented to-day. (Hear, hear.)

The Noble CHAIRMAN: Ladies and Gentlemen,—The papers that have been read to you refer to two classes; to the Eurasians principally, but also to the English domiciled in India. By the latter I understand is meant the children of poor English parents on both sides. Now with regard to those I think we may dismiss them entirely from our minds. When they grow up they should be encouraged by the Government and the societies to emigrate to Australia or other colonies; they are not wanted in India; they have no place there; they do not add to the intelligence of the country; they are an element of disturbance and a source of trouble to the Government and to the police, and the sooner they leave India the better. But the case of the Eurasians is entirely different. The British Government have not set to work as the Portuguese did in the time of Albuquerque. When he was Governor-General he distinctly encouraged and endeavoured to contrive that there should be a Portuguese population, under the mistaken idea that the Portuguese armies might be recruited from them, instead of waiting till they brought more Portuguese from Portugal. That experiment as we now know did not answer. One of these papers gives one reason why it should not have answered in the case of the Portuguese and points to the state of Portugal now, which is certainly very different from what it was 300 years ago. The Portuguese at the time they first went to India had as many warlike qualities as the Spaniards. The Spaniards have retained theirs and the Portuguese have lost theirs; so that what is the case with the Portuguese in India is hardly a necessary proof of what Eurasians are. Now what the Eurasians have a right to claim from the Government is that they should be put upon an equality with the natives of India. They have a right to claim also facilities for education and to have fair play, as some of the speakers have already said, with everybody else. I think there are some mistakes in Mr. Sutherland's paper. He gives a list of exclusions from which the Eurasians are suffering. He says, "There is a virtual exclusion from the Covenanted Civil Service." Now, Sir George

Kellner, who has arrived at high office, I was told by a gentleman of the Madras press, who is unable to be here to-day although he entirely sympathizes with the objects of Mr. White's paper, began life on twenty-five rupees a month; now he is a Companion of the Star of India and you may be sure has attained as high a position as he could desire. I believe he is now employed out of India on Her Majesty's service. Then Mr. James Coleman has also done very well. With regard to the exclusion from military service I should like to have heard military men say more, because certainly upon the figures given in Mr. Sntherland's paper, the economy of forming regiments of Eurasians is very tempting. The great economy is in avoiding the great loss upon reliefs going backwards and forwards between England and India. Such troops might very well do for the Madras presidency, where the hardships of campaigning are not so great as in the North-West Provinces, and where the enemies to be encountered are very few—in fact we have not had a war there for a very long time. With regard to the exclusion from the medical service there is a case mentioned in Mr. Sntherland's paper which is a very hard case of a person perfectly qualified who appears to have been unjustly excluded. The Eurasians ought to make better medical men than Englishmen being acclimatized there and less likely to suffer themselves from the diseases which they have to cure. The exclusion from the pilot service seems to me to be hardly worth mentioning; there must be a very limited number of employments afforded by it. Then as to the exclusion from the Bench of the High Courts, I do not think there is any exclusion of East Indians now, provided they make their way up, in fact Sir George Kellner's present position is a proof of this. With regard to exclusion from the legislative councils, there has been a great deal of reference to Ceylon. In Ceylon there is another exclusion from the legislative councils. The Mnssalmans are a very large community in Ceylon and the chief trading community and altogether one of the most important—certainly more important in numbers and wealth than the Portuguese—and yet they have no members on the legislative councils. They have for a long time been represented by what is called the Tamél representative, who happens to be a Hindn. So that the Mnssalmans in Ceylon seem to be treated worse than the Eurasians in India, as this exclusion applies to a much more numerous class. Now, with regard to the exclusion from titles and honours, there is no longer that exclusion now. Sir George Kellner is again an instance of an East Indian arriving at a title. It is now open to the best men to make their way and several have already done so. Another consideration is this: the Government

wherever there are appointments which are not obtained by competition are not to be expected to appoint Eurasians in preference to the natives of India because every post they are able to dispose of must necessarily be disposed of so as to please the greatest proportion of the population, and of course the masses of the Hindu and Mussulman population must be considered by the Government before they take the limited number of Eurasians into consideration. There is another paper that will be printed with this and which has not been read because its author is not here. Mr. Long, the Missionary, has written an admirable paper, which, however, will do better for reading when it is printed with our *Journal* than for reading at a meeting because it contains some very strong expressions. However, there is one point he refers to that I should like to touch upon. He says, "Too many of the English in India despise equally the Eurasian and the native, and singularly enough, though the English is the most mixed race in all Europe, it plumes itself in India on purity of race *versus* the East Indian natives, speaking of the former as having in 'the disgusting cant phrases'—I will not read those phrases which you are all acquainted with, but what I have to say is this, that these expressions, applied to any other race than our own, are un-English; they are essentially American. They arose entirely in the West Indian Islands and in America and they are not only un-English but they are un-Christian and criminal, as such because the Christian religion most distinctly disallows making distinctions between one race of men and another. That is still more plain in the Mussulmans' religion. It is one of the superior excellencies of Islam that not only is it inculcated that there is no difference between black and the white or the red and the yellow men, but that the Mussulmans invariably act upon that. The Arabs, who are perhaps most entitled of any nation in the world to pride of race, descending as they do from ancient times in an unbroken line with a language preserved unaltered for many centuries, do mix freely with Africans. The Ottoman Turks it may be said have also inherited great traditions and might have pride of race, but you do not find any race feeling of this kind. Constantly you see the Turkish ladies, who are, in many cases, fairer and better complexioned than many English women, mixing on the most free and intimate terms of equality with the negroes. There was a captain of one of the war steamers, the "*Tayf*," which was the only one which escaped the bombardment and massacre of Sinope, who was partly Turk and partly African, and I have never seen that man treated with the slightest disrespect by anybody. Not only that, but I could mention in Southern Arabia a judge who was a most

complete negro; he had been stolen in his youth from Bourbon by the Wayday and sold by them to the Egyptians, passed on from them to the Turks, and, as all slaves in Turkey do, received a good education, and ultimately had become a judge in Cyprus, and afterwards was a judge of Yemen. That man could speak Arabic and Turkish perfectly well, and took a great interest in all European matters. Just let me tell you this story. There was once a marquis in Spain—I don't know how he became a marquis—but he happened to be quite black, he was an African. He was asked "What is your genealogy; from whom are you descended?" He said, "I am descended from the second Adam." "But," it was said, "there is no such person as the second Adam." "Well," he replied, "why then do you ask me, because we are all descended from one Adam." (Great laughter.) We must all deprecate the way in which men are judged by appearances instead of by what they really do and are worth. I have known pure Englishmen, who have come from England, but who lived in India long enough to get sunburnt, to be mistaken for Eurasians, and some have wished to judge of them accordingly. I do not think there is any observation I now wish to make further than to say that I refrained from addressing the meeting, until the close of the discussion, in order not to prejudice the object which Mr. White has in view, by giving such very little comfort. I hope that with the other speakers that the Eurasians will get fair play, and that Mr. White's plan of establishing them together in some way and making them, as we say in India, into a caste, will be for their benefit. The closer they are brought together the more they will be able to assist one another.

Mr. D. S. WHITE: My Lord, Ladies, and Gentlemen,—I have very few remarks to make in reply to the speeches which have been made by some of the gentlemen present. H.H. the Rajah Rampal Singh hoped that the Calcutta and Bombay presidencies would form associations similar to that in Madras. I am glad to be able to inform him that associations have already been established in those presidencies. The Calcutta association, in fact, is much older than the Madras association. I had the pleasure of forming the Bombay association about five months ago, in passing through Bombay on my way to England, and from accounts which I have received I believe it is in a flourishing condition; but the Madras association, although only four years old, has done the most active work. I do not precisely know how to account for this. I have a reason which I will presently give you; but, generally speaking, it is unaccountable why Madras,

although it is the poorest of the presidencies, and often called the benighted, should be so practical. There seems to be a good deal of solid common sense in the people there. They are peaceful, and never give trouble; at all events, they pay their taxes, obey the Government, and altogether I think they are a people endowed, as I said, with a good deal of solid common sense. Speaking now of the Madras association, the only reason I can give for its progress —(and in saying this I reply to General Cavenagh)—the reason why I think the Madras Eurasians have progressed in this matter of association further than either of those of other presidencies is that the Madras is more an English community than any other in India. You must remember that Bombay is a very large seaport, and that the Goanese are often identified with the Eurasian population there. In Calcutta you have people from all parts of the world, and they have contributed to form its Eurasian community; but in Madras the strange fact exists that, excepting the Portuguese descendants, almost every other Eurasian comes from English stock, that is to say, the Englishmen who went in the olden time to India. You will remember that Madras is the oldest presidency; most of the fighting took place there between the French and the English, and I really think that the qualities of the Eurasians in Madras resemble those of the English more than elsewhere. This would account for the remark made by General Cavenagh, that he found that the Madras Eurasians were braver and physically very much better than those enlisted in Bengal during the Mutiny. Now I might refer in this connection to the necessity I have before pointed out for establishing a reserve force. Mr. Arathoon asked me what soldierly qualities were possessed by the Madras Eurasians generally. I have only to say that in Madras, during the Mutiny, the very first volunteer corps in all India I think was formed. It was in Madras I think that the volunteer movement started, and Mr. Shaw will tell you that we stood in the ranks together. Now the Madras Volunteer Corps has been in existence from the year 1857 to the present day; and not long before I left Madras all the veterans were got together and given an entertainment, and there were present a good number of men who had served for more than twenty-five years. This shows that these men who work all day in their offices and so on, can yet find time to go through their drill cheerfully and be in attendance on every parade day on the island where they have their exercise-ground; and on field days they always muster very strongly and go through their evolutions with the regular army. Now when the Duke of Buckingham and Chandos was Governor of Madras, a battery of volunteer artillery called the Duke's Own, was formed

of Eurasians. I had the honour and the pleasure of serving in the battery before I left, and I know that when we were taken to the beach to fire at the targets moored in the sea a long distance off, we did as well at least as the regular battery of artillery in Fort St. George. The Duke's Own is still in existence and doing good work. Next to the Duke, the Hon. J. G. Coleman's name is conspicuous in connection with the battery. Now to my objection to having Eurasian regiments. I really think that we have not a sufficient number of men to form more than one regiment, or perhaps two, because if we take the census reports, we find that there is a paucity of numbers, but at the same time it must be remembered that although we have volunteer corps in India, all volunteers are in some employment. If then we were to say to the men, "Will you give up your situations and become soldiers," I do not believe they would assent, because they are better off. That has always been one of my reasons for advocating what I have called a reserve force. At present you have, say, 20,000 Eurasian men physically fit to be soldiers, who are spread all over the country. They fill the railways, they are in the police, and in various other services. As it is a great number of them bear arms at the present moment, but they bear arms because they have their appointments to support them. What I would wish is, that all these men should be formed into a reserve force; that they should attend drill for a certain number of days; and I believe that if the Government gave them a half-yearly or a yearly grant, there is not the slightest doubt that their services would be secured permanently. There is this very curious question connected with the raising of Eurasian regiments which has troubled a great number of people. Sir Neville Chamberlain spoke to me, before he gave up the chief command and left India. He was fighting very hard for the formation of a Eurasian regiment, and wished that it should be paid and drilled exactly like a British regiment. The Government of India, and, I believe, the Home authorities were against the measure entirely, and he failed in having his idea carried out. The Government said: "We will not form a regiment unless the Eurasian is paid and drilled exactly like the Sepoy." Now there was a good deal of wisdom in the decision, because if you get a Eurasian regiment in Madras you have no guarantee whatever against the servile classes in India assuming the European costume, and enlisting into a Eurasian regiment. Of course the Government from the economic point of view say, "We can get a man of the servile class to enlist for Rs. 7 a month, or Sepoy's wages; but if we form a Eurasian regiment we shall have numbers of this servile class

"assuming European costume, and we shall have to buy them at the "higher rate." The Government is sensible I think in the matter, and I believe it would be a mistake to form Eurasian regiments when a large and capable body could be had as a reserve force at a moderate rate. There would also be the advantage that the men would be spread over the country ready for service at any point at which they might be wanted. Now on the question of schools. Some gentlemen remarked that there were schools supported by the Government. The late Director of Public Instruction in Madras is present in this room, and he will bear me out, I know, when I say that the Government have not provided for Eurasian education as they ought to have done. In fact, speaking from my earliest recollections the schools in Madras are schools supported partly by subscriptions from the European community through the various churches of Madras, and up to this present moment the schools in which the Eurasians are educated are schools supported by themselves by the aid of their clergy, the congregations of churches, and by subscriptions from the European community with, of course, a certain grant-in-aid from the Government; but it is a fact that Government have not yet established a special school for the East Indian community or the domiciled European community. The Lawrence Asylum no doubt is a peculiar institution, but it must be remembered that when the Lawrence Asylum was established it took over an immense endowment which belonged to the old Military Orphan Asylum. The Military Orphan Asylum, which was established I think in the latter part of the last century, had a very large endowment. It received sums from the Nabobs of the Carnatic and several others, and the money was transferred partly for the support of the Lawrence Asylum, and I think all that the Government give is a grant to the institution. Under recent resolutions, however, of the Government of India, we are about to have a lac of rupees, I think, set apart every year for the establishment of special schools. Now, with regard to exclusions from the public service. I know that Mr. Sutherland's paper contains a good deal that I do not agree with. It is a paper that was written a long time ago and it does not apply to present circumstances: but there are exclusions. There is no doubt that many of those exclusions arise from mere prejudice on the part of high officials. If it had not been for a very special exclusion I would not have been here now. In fact, I have come all the way from India to protest against a very strong exclusion, and I have protested during my stay. I have been to the Secretary of State at the India Office, and I hope that exclusion will be removed. When the Act of 1870 was passed, the whole of the

people of India were put on one common platform, and it was said that no alteration in the definition of native of India in that Act was to take place unless such alteration was put for thirty days before both Houses of Parliament. But we in India were astonished to find that the provisions of the Act were violated, some rules and resolutions having been passed that had never been put before both Houses of Parliament at all. It was with reference to this that I came to this country, commissioned by the whole Eurasian and domiciled European community of India and British Burmah. Several members of Parliament have promised to take up the question, and I think the exclusion will be remedied. Again, and under the Act of 1870, any native of India of proved merit and ability could be transferred to the Covenanted Civil Service. The Act was most careful to say that he was to be a person of *proved* merit and ability—that is to say, that he had gone through a long training in India in the Uncovenanted Service and had proved his merit and ability—then, as a reward, he was to be put into the Covenanted Service. The action taken in India has been to appoint young men who have yet to prove their merit and ability, and possibly in the course of five or six years, or two or three years, the persons appointed will be pronounced unfit for the Covenanted Service; and then a resolution will be sent to Her Majesty's Government saying that the experiment has been tried and the natives of India are unfit for anything beyond their present positions, and recommending that "no more promotions be made to the Covenanted Service." There was a further exclusion. The Uncovenanted Civil Service was to be reserved for persons who were natives of India. I am very sorry to tell you that instead of reserving the service for natives of India, the highest officials of India bring out all their friends and relatives and give places to them; and every possible person also who can get a note of introduction comes out and gets an appointment. I have protested against this also, because not only is it a hardship on the people of India, who are kept out of their rights, but because, from the point of Political Economy, it is a most unfortunate thing that the revenues of India should be charged with payments to expensive persons, when very much smaller sums would suffice for the natives of India; and not only are the revenues of India hardened with the salaries that are paid, but at the same time the class of people who come into the Uncovenanted Service are always leaving the country, going away and spending their money in this country, and after a certain time they retire from the service and, of course, come here with their pensions. I know that



my complaints about these matters have gone on, as Lord Kimberley told me that they would be sent out to the Madras Government and to Lord Ripon, and I hope that in a few months some satisfactory answer will be given. If no satisfactory answer is given I shall take the liberty of reporting the matter to the East India Association, and I trust that the East India Association will bring the matter before Parliament in some shape—(hear, hear)—because I think that every Member of Parliament ought to be interested in a matter when it consists of the violation of an Act passed by Parliament itself. Now the last thing I wish to bring to your notice is one in connection with our villages. I have here the manual which our society has published and I will say a very few words about it. The Maharajah of Mysore has given us 4000 acres of land. It is a great experiment that we are carrying on. It has always been said, and a number of blue books have been printed upon the subject, that colonization is impossible in India. It may be impossible, perhaps, to pure Europeans, but I do not think it will be impossible even for them in the higher latitudes of India; but so far as the Eurasians are concerned, I think it is perfectly possible that they should colonize some portions of the country, and we have wisely, I think, gone to Bangalore, which is at an elevation of some thousands of feet, and there the climate for eight or ten months in the year is very similar to what it is here just now, so that anybody of European descent can always work for several hours in the sun. We have got these 4000 acres of land and what we are doing is this: we are putting people on the land who have some means of subsistence. We are giving them twenty acres of land each. We are sending no paupers there. We are sending men who have means so that adverse seasons will have no effect upon them; there may not be rain for a year or two, but that will not affect the persons we are sending, because they will have their pensions and their means of subsistence. We are using the funds of the Association partly in building cottages for these settlers. If a man wishes to settle there there is a house provided for him, for which he pays a rental of so much every month, and at the end of a certain time the house is handed over to him and becomes his property. We have established a smaller loan fund for them; we assist them also with cattle, ploughs, and seed grain for the first year. The people sent are of good character, they are not intemperate, they are people accustomed to the use of money, and there is not the slightest doubt that they will make good settlers. But people say, and they say it in this country also, that the land is not able to afford means of support. I think it is very different in France; it is

very different in thickly populated countries like China. It has been a great mistake in my opinion for a gentleman from England to go out and spend a very large sum of money in coffee and tea, and other things. There is, no doubt, that if they give personal attention to their estates they may make money out of them, but it is not the plan that is followed in China. In China no man thinks of having a tea estate. A Chinaman grows his tea in a tea garden, and he only takes up so much land as he and his wife and children can cultivate and look after, and if we had coffee and tea gardens in India in the same way, the probability is that a very large number of Europeans or their descendants would earn their living without difficulty. But with our twenty acres of land each, I believe it is perfectly possible for a man to maintain himself, to give himself the means of support, at least in a place like the Mysore territory; but at the same time the resources of India have been left undeveloped. There is no doubt the industries of the country have been killed, but at the same time there are industries there which can be taken up, and we have a list here which we mean that the settlers should engage themselves upon. For instance, there is the silk industry. A gentleman who has come from Bangalore tells me that the Government of India have sent them a supply of silk worms' eggs, and those eggs have been distributed to a number of East Indian families in Bangalore, and it is not only an amusement, but a matter of great interest to the children and to the female members of the family to rear the worms and reel off the silk. You may depend upon it that the silk industry alone, with an intelligent people to take it up, will afford support to a large number of East Indian families. Now there are a number of other industries which we may take up. There is dairy farming, for instance, which can be carried out. If any gentleman or lady wishes to look at this book, I have no doubt that the East India Association will be glad to loan it out for a short time, and it will give a good idea of what we desire to do. I tell you candidly my idea is that we mean if we can to establish a body of peasant proprietors in the country. The great fault in India is that the people have been looking too much to Government employment. The natives are now being educated, the people are crowding the public offices, and it is becoming very difficult for people to live, and any effort made to drive the people away from the public offices to the soil of India will be a real boon to them, because it is impossible that the revenues of India can be expended in increasing the administrative power of the country, and if the Association can but succeed in putting people on the soil, and if these people prove themselves worthy of being located thereon,

I hope that, by-and-hye, in the course of two or three years when this matter is properly reported to the East India Association, representations will be made to Her Majesty's Government here, and that tracts of land on the Neilgherries and on the Palni Hills, and in other places will be made to the descendants of Europeans, in order that they may colonize the country thoroughly. I have just one more word to say. Our Noble Chairman referred to Sir George Kellner. I believe Sir George Kellner is not an Eurasian. I believe he is a domiciled European. He certainly began life in very humble circumstances in Calcutta, and he has risen to a very high position; but I believe he is not an Eurasian.

Colonel A. M. MACDONALD: Ladies and Gentlemen,—I rise to move a vote of thanks to Lord Stanley of Alderley. The interest which his lordship takes in India is known to all those here present, and this Association is especially indebted to him for having taken the chair on various occasions when we have held meetings in this and in other halls. Before putting this vote to the meeting, I will, with the permission of his lordship, make a few remarks on the point on which Mr. White has appealed to me. It is no doubt the case that in the Madras Presidency there has been hitherto no purely Government school for East Indians. The fact is, that Government have hitherto relied in the matter of education on the grant-in-aid system, which is the one that it has always been intended particularly to use in India. The Lawrence Asylum is the only institution for East Indians bearing any approach to a Government institution in the Madras Presidency, and that is under the management of a committee, and not regarded as a purely Government school. But it is not the case that the education of East Indians in Madras has been neglected. Many years ago an inquiry was instituted in every district for the purpose of ascertaining what number of East Indian children were not receiving any education, and the reports which were received from the various collectors showed, in the opinion of Government, that the number of children for whom education was still required was comparatively very small, and they directed in those cases where the children were prevented by poverty from paying the fees which were levied in these various schools, that the fees should be paid for them out of the Treasury. Mr. White, who was my assistant when I was Director of Public Instruction, is well aware that statistics were annually published showing the number of children of various races receiving inspection. It happened that in one year the gentleman who acted for me reported to Government his regret that there had not been so great an increase

in the number of East Indian children as there had been in the children of the other races, and he was apprehensive that that indicated something like a falling off; but when we came to go into the figures in the following year and compared the number of children under instruction with the total population, the reason why there was no great increase was apparent. The fact was that nearly every child who could be under instruction was already under instruction. The percentage of East Indian children was larger than that of Brahmins or any other class of natives in India, at least in the Madras presidency. I myself was of opinion that the Government might do something more in the way of establishing one or two Government schools for the East Indians, and recommendations to that effect were submitted before I left India, but what the result has been I have not heard.

The resolution was seconded by Mr. JOHN SHAW, and carried unanimously.

The CHAIRMAN having briefly acknowledged the compliment, the meeting separated.

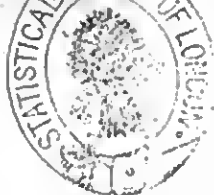
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Mr. DAVID SUTHERLAND wrote to the Secretary from Darjeeling as follows:—"I am much obliged to the Council of the East India Association for giving me an opportunity of replying to the criticisms that were passed on my paper. I can only say that I have no reason to be dissatisfied with the result of the very interesting debate that took place. Sir Orford Cavenagh, who began the debate, admitted that the community whose grievances I endeavoured to bring to notice in my paper, was a class to which hitherto scant justice had been meted out. Mr. Nasmyth, who followed, went further, and said that, taking the history of the world, the Eurasians were the worst treated people he knew of. Captain Vyse expressed the hope that the Government would not lose sight of all the good services rendered by the East Indians, pointing out the duty of the Government towards them, as well as the danger of allowing them to become the source of a great political evil if justice were not done to them. Mr. Martin Wood endeavoured to deal fairly with

"the class so far as his knowledge went, and bore testimony to their  
 "efficiency, their valour, and their trustworthiness. Where, however,  
 "he erred was in ignoring (which, perhaps, he could not help) the  
 "grievances under which they labour, treating them as if they were  
 "only so many slides in a dioramic box, 'already melting away.' All  
 "that I can say is, that the melting process would seem to be very slow  
 "indeed. If the gentlemen who said that my paper was 'out of date'  
 "and 'did not apply to present circumstances,' and so forth, had only  
 "borne in mind that the paper had reference to Bengal alone, they  
 "might have spared many of their criticisms, for, as I can assure  
 "them from actual knowledge, none of the exclusions to which I  
 "referred have yet melted away. I still maintain that Eurasians are  
 "excluded from the Bench of the High Court as a class, and that  
 "natives are appointed to it as natives. But for the latter I should  
 "never have referred to the former. If the appointments to that  
 "office of persons born in India were made according to merit alone  
 "there could be no grievance. But so long as a seat or seats on the  
 "Bench are expressly reserved for natives, the Eurasians have good  
 "ground to complain that the appointments in the one case and the  
 "exclusions in the other are made according to race qualifications.  
 "So, also, as regards exclusion from titles and honours, and from the  
 "Legislative Councils. As a refutation of my assertion to that effect,  
 "Mr. Wood refers to the admission of one member of that community  
 "in Madras into the Order of the Star of India, as a noted case. As  
 "I said before, my experience is confined to Bengal. Moreover, apart  
 "from the old proverb, that 'one swallow does not make summer,'  
 "before this case can be accepted as a refutation of my assertion, we  
 "have yet to learn who this gentleman was, how his exaltation came  
 "about, and whether he had worked himself up to the Order of the  
 "Star of India through sheer merit, or was appointed to it *quâ*  
 "Eurasian. If not *quâ* Eurasian, then that does not affect my argu-  
 "ment in the least, because my contention was against natives having  
 "these distinctions conferred on them solely and purely *quâ* natives.  
 "What better proof of my assertion can I adduce than the solemn  
 "mockery of appointing natives wholly ignorant of the English  
 "language as *dummy* members of Legislative Councils?—not all, by  
 "the way, on political grounds, for I could name several not so  
 "appointed who could scarcely express themselves in English. The  
 "noble Chairman spoke of Sir George Kellner as an instance of an  
 "East Indian aiming at a title. Now, assuming that Sir George was  
 "an East Indian—which, at any rate, is doubtful, for Mr. White  
 "publicly challenged the accuracy of the noble Lord's statement—

"the noble Lord is mistaken if he thinks that Sir George Kellner  
 "arrived at this distinction *quâ* East Indian. Sir George had earned  
 "it by his own merits; and that, I submit, is no answer to my assertion  
 "that whereas natives have titles and distinctions thrust on them  
 "every now and then simply and solely because they are natives,  
 "no such titles and distinctions are conferred on East Indians simply  
 "and solely as East Indians. Mr. John Shaw challenges the correct-  
 "ness of my statement regarding the rapid increase of the Eurasian  
 "population. My statement was based upon the last census returns,  
 "which are at least as reliable as Mr. Shaw's bare assertion. Mr.  
 "Shaw next tries to disprove my statement that no East Indian had  
 "yet been appointed a Judge of any of the High Courts, by referring  
 "to my admission that an Acting Advocate-General had acted as  
 "a Judge of the High Court. Mr. Shaw seems to think that the  
 "exception and the rule are identical, whereas I take it that the  
 "exception merely proves the rule. But however that may be, I now  
 "find that the gentleman I referred to is not an East Indian, but an  
 "Armenian, so that the rule I laid down stands even without an  
 "exception to prove it. Mr. Shaw proceeds to challenge my statement  
 "regarding 'the systematic exclusion of East Indians from the  
 "appointments of Administrator-General, Standing Counsel, and  
 "Solicitor to Government,' on the ground that Mr. T. G. Clarke, of  
 "Madras, was Acting Solicitor to Government; and as I had quoted  
 "from Mr. Clarke's book in another part of my paper, he seems to  
 "imply that I must have known, or ought to have known, that Mr.  
 "Clarke was an East Indian. I can only repeat that my paper only  
 "recited my experience of Bengal. Besides, by quoting from Mr.  
 "Clarke's book, how was I to know that he was an East Indian, or  
 "anything else? With all deference, therefore, to Mr. Shaw, I  
 "emphatically state that, could I have been present at the meeting  
 "to read my own paper on the date when it was read, I should not  
 "have revised it in one single particular. Lastly, Lord Stanley  
 "thought that there were some mistakes in my paper. And  
 "why? Because I had said 'there is a virtual exclusion of  
 "East Indians from the Covenanted Civil Service;' and this his  
 "lordship considered he had satisfactorily proved by referring to  
 "Sir George Kellner. I submit, however, that the noble lord  
 "has made a mistake in supposing that Sir George Kellner ever  
 "belonged to the Covenanted Civil Service. He was only an  
 "Uncovenanted servant. Lord Stanley's belief that there is no  
 "exclusion of East Indians from the Bench of the High Court,  
 "provided they make their way up like Sir George Kellner, rests on

"no better foundation. His lordship has quite missed the point of my argument. My argument was that natives had a seat, or seats, on the Bench of the High Court reserved to them *quâ* natives; i.e., when a native judge died, another native was, as a matter of course, appointed to succeed him. No such reservation is made for East Indians *quâ* East Indians."



# JOURNAL

OF THE

## EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the Inhabitants of India generally.

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### THE MISCHIEF THREATENED BY THE BENGAL TENANCY BILL.

PAPER BY ROPER LETHBRIDGE, ESQ., C.I.E.

READ AT A MEETING OF THE EAST INDIA ASSOCIATION.

ON WEDNESDAY, OCTOBER 31, 1883.

THE RIGHT HON. LORD STANLEY OF ALDERLEY

PRESIDED.

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A MEETING of the members and friends of the East India Association was held on Wednesday afternoon, October 31, 1883, in St. James's Hall Banquet Room, Regent Street, London, for the purpose of considering a paper by Mr. Roper Lethbridge, C.I.E., late Press Commissioner of India, entitled "The Mischief Threatened by the "Bengal Tenancy Bill."

THE RT. HON. LORD STANLEY OF ALDERLEY occupied the chair, and amongst those present were the following:—

Sir W. Rose Robinson, K.C.S.I.; General C. Douglas, R.A.; General H. C. Johnstone, C.B.; General R. MacLagan; Lieut.-General W. C. R. MacDonald; Major-General G. Burn; Major-General J. Emerson; Major-General Shortt; Colonel Browning; Colonel E. G. Jenkins; Colonel R. M. MacDonald; Colonel R. Prendergast; Lieut.-Colonel W. Anderson; Lieut.-Colonel E. F. J. Brown; Captain C. F. Battye; Captain Palmer; Mr. Thomas H. Thornton, C.B.; Professor Gustav Oppert; Dr. Vincent Ambler; Dr. G. W. Leitner; Dr. Montagne D. Maknna; Brigade-Surgeon Murray; Dr. John Rae; Dr. C. Schneider; Rai Sheih Chunder Banerjee Bahadoor; Mr. A. Arathoon; Mr. C. W. Arathoon; Mr. Montague Arathoon; Mr. F. T. Atkins;



Mr. Anthony A. Aveteom; Mr. Osmond J. Bagram; Mr. S. J. Bagram; Mr. J. N. Banerjee; Mrs. Benson; Mr. R. R. Beynon; Mr. H. B. Boswell; Mr. Frank Bowden; Mr. W. H. Brereton; Mirza Peer Bukhsh; Mr. Carnell; Mr. Cecil Chapman; Mr. A. K. Connell; Mr. H. R. Cooko; Mr. W. T. A. Cosby; Mr. A. Croft; Mr. John Dacosta; Mr. Krishnalal Datta; Mr. James Disney; Mr. T. R. Fernandez; Mr. J. G. Ferrand; Mr. F. H. Fisher (b.c.s.); Mr. W. H. Fisher; Mr. J. Vesey Fitzgerald; Mr. George Foggo; Mr. J. Frizella (b.c.s.); Mr. E. A. Gait; Mr. Henry Gaspar; Mr. C. F. Goss; Mr. Douglas Grant; Mr. James Hutton; Mr. William Ironside; Mr. James; Mr. T. E. Kebbel; Mr. R. C. Lehmann; Miss Lehmann; Mr. F. W. Lethbridge; Mrs. Roper Lethbridge; Mr. W. Lethbridge; Mr. W. McGuffin; Mrs. Menshler; Mr. G. P. Melitus; Mr. Ponsonby Moore; Mr. J. W. Mnir; Mr. C. D. Panioty; Mr. Donald N. Reid; Mr. H. Stewart Reid; Mr. J. Barr Robertson; Mr. Julian Robinson; Mr. G. W. Rusdon; Mr. Charles Sanderson; Mr. John Shaw (Madras); Mr. J. Doyle Smithe; Mr. John Stevenson; Mr. R. B. Swinton; Mr. D. S. Taylor; Mr. H. Thompson; Mr. J. H. Thompson; Mr. Walsh; Mr. M. Ward; Mr. J. L. Watson; Mr. H. Whympers; Mr. E. Humo Williams; Mr. W. Martin Wood; Mr. W. Hamilton Burrn (Secretary).

The Noble CHAIRMAN, in formally opening the proceedings, called upon Mr. Roper Lethbridge to read his paper.

Mr. ROPER LETHBRIDGE, C.S.I., then read the following paper:—

"That ungodly measure of wholesale robbery, The Bengal Tenancy Bill. . . . A measure which threatens to create an agrarian revolution."—*Hindoo Patriot (the leading Native Paper of Bengal)*.

"In the present instance, it is one party to the contract which proposes, of its own motion, and by the abuse of a plenary power, to override one of its most important provisions, in a way which must not only most seriously affect the pecuniary interests of the other party, but work a complete revolution in their status."—*Englishman (the leading English Paper of Bengal)*.

"The effect of the Bill is simply to deprive the zamindars of their proprietary rights, and to render them mere ciphers upon their estates."—*Petition of Behar Landowners to Parliament*.

"The Bengal Tenancy Bill, the manifest tendency of which seems to be to revolutionize the present relations between landlord and tenant in the provinces of Bengal and Behar, to re-distribute landed property on a new and inequitable basis, and to fetter the freedom of action of all classes interested in agriculture by driving them at almost every step of their mutual transactions to Courts of Law and fiscal officers, and to foster dispute, litigation, and animosities in lieu of peace, harmony, and good-will among them."—*Petition of Bengal Landowners to Parliament*.

"I confess I view with horror and dismay the revolutionary provisions of the present Bill."—*Minute of the Chief Justice of Bengal.*

"Our rights, our social position, nay, our very means of living, are at stake."—*The Hon. Maharajah Sir Jotendro Mohan Tagore, K.C.S.I. (late Member of the Viceroy's Legislative Council).*

"The Governor-General in Council trusts that the proprietors of land, sensible of the benefits conferred upon them by the public assessment being fixed for ever, will exert themselves in the cultivation of their lands, under the certainty that they will enjoy exclusively the fruits of their own good management and industry."—*Permanent Settlement (Regulation I of 1793, Section 7, Art. 6).*

"Government must divest itself of the power of infringing in its executive capacity the rights and privileges which, as exercising the legislative authority, it has conferred on the landholders. No power will then exist in the country by which the rights vested in the landholders by the Regulation can be infringed, or the value of landed property affected."—*Permanent Settlement (Regulation II of 1793, Section 1).*

"The revolutionary measure which threatens our existence. . . . The selling price of small zemindaries has, since the agitation for changes in the rent law has commenced, fallen from thirty-two years to sixteen years' purchase, and there is a tendency to further decrease. Negotiations for sale have been broken off, and in many estates the friction has already commenced: the ryots en masse, in view of the coming changes, withholding the payment of their just rents."—*Petition of Behar Landowners to the Lieut.-Governor of Bengal.*

When last Session I had the honour of addressing some remarks to this Association in defence of a certain class of our fellow-subjects in the East, I claimed your generous interest in the question, on the ground that the very *raison d'être* of our Association is to endeavour to represent, to the Government and people of Britain, the grievances, the needs, and the aspirations of all the otherwise unrepresented communities of India. But I am sure that to-day I need offer no excuse at all for bringing before you what I believe to be the threatened trouble and danger of a whole province—a province nearly as large as the German Empire, and as populous as France and England put together. For it is unnecessary for me to point out to you that, since Bengal is largely and indeed almost exclusively an agricultural country, no change of the law there can be more momentous, or more entirely deserving of the close attention and careful study of all friends of India, than one that altogether remodels, whether for good or for evil, the relations of landlords to tenant and under-tenant, or tenant and under-tenant to landlord, and of each to the soil. And I pray you to believe that I have undertaken this task, not in the interests of any one particular section of the community, but with a sincere desire for the happiness and prosperity of every class in the Province in which I have spent so many pleasant years of my life.

The Bengal Tenancy Bill is modestly intituled by Mr. Ilbert "A Bill to Amend and Consolidate certain Enactments relating to the Law of Landlord and Tenant within the Territories under the administration of the Lieutenant-Governor of Bengal." I find, indeed, in Chapter I, Section 4 (c), a very significant, a most eloquent proviso, that "nothing in this Act shall effect . . . any enactment regulating the procedure for the realization of rents in estates belonging to the Government, or under the management of the Court of Wards, or of the Revenue Authorities." But except in the case of the population of these happy and supremely virtuous estates, which obviously can need no repentance, it seems to me that Mr. Ilbert's proposals threaten to turn the whole social fabric of the great agricultural community of Bengal upside down, and inside out. If I, or those who will follow me in this discussion, can show that this is what is likely to happen if the Bengal Tenancy Bill is forced into law: If we can show that this measure is introduced, not to meet any actual need, or even any demand, but that the quiet of the land is being disturbed to suit the visionary theories of well-meaning but impractical men, and in defiance of the most solemn pledges of the British Government: If, above all, we can show that the proposals of the Bill, so far from benefiting in the slightest degree any considerable section of the agricultural community, must inevitably involve landlords and tenants alike in one common ruin; then I am confident that the members of this Association will gladly unite with us in supporting the nearly unanimous petition of the native land-owners of Bengal and Behar, and in respectfully praying His Excellency the Viceroy to re-consider the edict that has gone forth in regard to this Bill.

#### THE LEADING FEATURES OF THE BILL.

Many of my hearers this afternoon will be familiar with the leading features of the proposed legislation; but for the benefit of those who are strangers to the controversy, I will briefly sketch them, without going into any details or technicalities, or touching on any points that do not seem to be specially important.

First of all, in the Bengal millennium to which we are to be introduced by Mr. Ilbert, there will be of course any amount of the three F's, in their fullest and most rasping form, so as virtually to cut off the zemindar from all further control over, or concern with his own land, except as an annuitant or rent-charger. But mark well: All these exceedingly valuable rights and privileges, taken from the zemindar, apparently in gross violation of the most solemn pledges of the British Government in the Permanent Settlement, are to be

conferred—not on the actual cultivator, who may be, and under this Bill probably will be, under-tenants, with no rights of any sort whatever, and almost in a state of serfdom, but—on any land-johhing money-lender who chooses to buy up the occupancy rights of a ryot who has acquired them.

Where anything in the nature of either of the three F's has already been peaceably and amicably in vogue, the ingenuity of the draughtsman has been called in, to invent some more drastic form, as if to be in keeping with the general spirit of the Bill, and to avoid all risk of continued peace and friendship.

Take, for instance, the first F—Fixity of tenure. There is already a very large amount of “fixity of tenure” in Bengal. Good authorities have estimated that nine out of every ten ryots in Bengal proper already possess occupancy-rights, whether as customary rights sanctioned by the old regulations, or as rights acquired under Act X of 1859, or otherwise. So the Government of India, as if to keep up its character, has ingeniously devised a new turn of the screw in this direction, by proposing to enact, that a man who has acquired occupancy-rights over the tiniest plot of land in an estate, shall, *ipso facto*, be held to have acquired those rights over all the rest of the land he may hold in that estate, even if the latter has only been held for a single day, and if it be a hundred times the size of the small plot that confers the title.

Again, the occupancy-rights are to be acquired by the ryot whether he wishes it or not; they are acquired “notwithstanding any contract “to the contrary.” The abolition of freedom of contract, which is one of the great points of this Bill, I hold to be as degrading to the ryot as it is annoying to the zemindar, and as likely to be prejudicial to his interests.

And, once more, these occupancy-rights, and this fixity of tenure, are henceforward to grow up as inexorably in the landlords' own domain-land, if let for any exceptional reason or temporary exigency to a tenant, as it does in lands that have always been *ryoti*. And the retrospective character of the proposed legislation is applied with such rigour to the question of what is domain-land (*khāmār*) and what is not, that no land is to be held as domain unless it has been *continuously* occupied by the landlord as his private land for *twelve years* prior to the introduction of the Act. And further, no additions are henceforward to be made to the domain-land for any reason whatever. For instance, a landlord may lose all his domain by diluvian, but is not to be allowed the privilege of adding to it in consequence of alluvion, or by reclamation of waste. And lastly, to secure the rigorous enforce-

ment of this provision, the Local Government may order a survey and register to be made of all *khámár* land in any district or districts, thereby, at a huge cost, letting loose on the land all that storm of extortion and oppression from subordinate officials that usually attends all inquisitorial operations of this kind.

I imagine few of my hearers to-day will agree with the gentleman who wrote the other day to his landlord (whose ancestors have held the land during the last three centuries), objecting any longer to pay rent on the ground that it is an "immoral tax on industry;" and, while unable to say that the rent is high or that the harvest has not been plentiful, advising the owner to "take himself off," and not "rob" him of his "hard-earned money."

Next we come to the second F, that has such a plausible sound under the name of "Fair Rent." We all know the difficulties that have arisen in the ardent search for an adequate definition of Fair Rent instituted in the course of recent Irish land-legislation. Some of us may approve, some of us will probably disapprove, of the "live and thrive" theory that has been adopted in Ireland, and that has relegated the teachings of political economy to the distant regions of the planets Jnpiter and Saturn. But whatever may be our opinions on this controverted point, we shall all admit that the rulings of "The Bengal Tenancy Bill" are far more arbitrary than those of the Irish Land Acts. They amount broadly to these:—

(1) "Fair Rents" are to become universal in Bengal.

(2) The tenure-holder may obtain the "Fair Rent," by first ignoring all existing contracts for enhancement (which are hereby swept away) and enforcing all existing contracts *against* enhancement (which are to retain all their virtue); then squeezing the landlord down to the lowest rate obtainable by the higgling of the market under these favourable conditions; and finally harassing the unfortunate landlord, either by vexatious abatement suits to which no penalties are attached, or by paying into Court an inadequate rent, or by any other means at his disposal.

(3) The landlord, on the other hand, may obtain the "Fair Rent," *if he can*. But, as I have said, all existing contracts empowering him to enhance are swept away, all contracts forbidding enhancement are retained. He can make no new contracts for enhancement, except at the sweet will of the revenue officer, who is to "satisfy himself" that it is fair and equitable, and even then only under the most stringent limitations of both the actual and the relative amount of enhancement permissible. He is further to be limited, in such districts as the Local Government may choose, by the arbitrary *mazima* of a "Table

"of Rates" to be drawn up by the revenue officer at the expense of a local rate. And if he shall have succeeded in getting through the meshes of all these various limitations, he may institute a costly suit for enhancement of rent in the Civil Court; but here again only under the most stringent conditions. And after all this, he is at last met by the absurdly low and arbitrary limit, that under no circumstances can he obtain more than one-fifth of the estimated annual value of the produce of the land in staple crops, at harvest-time prices.

I believe this to be an accurate statement of the way in which the second F is settled by "The Bengal Tenancy Bill;" of which the points seem to me to be, that it virtually sets up the arbitrary opinion of the revenue officer as the criterion of what is to be the amount of the landlord's income, that it absolutely *necessitates* an enormous amount of litigation, that it summarily sweeps away all contracts or other presumptions in favour of the landlord, and vigorously enforces all that may be in favour of the tenant.

Next, we come to the third F (Free Sale). The sudden and wholesale introduction of the transferability of occupancy-rights seems to me by far the most mischievous and revolutionary part of the Bill. Such transferability as a principle has been hitherto absolutely unknown in Bengal; even as an incident, it has been unknown except under some few exceptional or local customs in Eastern Bengal. The disastrous effect that this revolution will have on the position, the influence, and even the personal comfort of the landlord, by taking from him all control over the selection of his own tenants, and putting him at the mercy of his bitterest or most disreputable enemy in this respect, has apparently been perceived even by the Government of India. Mr. Ilbert, in his "Statement of Objects and Reasons," speaks of these possibilities with a sympathetic tenderness, that reminds one of the bitter tears shed by the Carpenter, when he contemplated the sad fate of the oysters he was about to devour. Mr. Ilbert feelingly mentions "cases in which a spiteful neighbour might be willing to pay an exorbitant sum for occupancy-right with a view to harassing the landlord." But what is the remedy provided by the Government of India for the unfortunate landlord, against the very worst that can happen to him? Simply this, that they *profess* to give him the right of pre-emption on the occasion of the sale of the occupancy-rights on any of his farms. And what is it they allow him to buy? Amazing to say, it is NOT the transferable occupancy-right—which they allow *any one else* to buy, and for which they force the landlord to pay the full value to the uttermost farthing (to say nothing of the obvious probabilities of tricks being practised to raise the pre-emption price).

What the landlord buys at this full price is simply the right, on his own land, to refuse the new obnoxious tenant *pro hac vice* only, and to cultivate the land in person; for he is not allowed to sell the commodity he is supposed to have bought, and if he lets the land to any other tenant, the new tenant *ipso facto* acquires that commodity, can sell it once more to the old obnoxious purchaser, and so the process of bleeding can go on *ad infinitum*, or until the landlord is ruined. And each time the landlord buys, he buys not any valuable or exchangeable commodity, but simply a temporary immunity from the persecution to which the law has made him liable.

So much for the three F's, the total abolition of freedom of contract, and the retrospective effect to be given to the Bill. I need only mention two other points. One of these concerns the proposed abolition of summary distraint, and the substitution for it of the tedious and costly processes of the Civil Courts. Herein the new procedure will render the realization of rent by distraint at once more troublesome to the landlord, and more ruinous to the tenant; and will not infrequently defeat the ends of justice altogether, by reason of the delay it involves. And the fact that this Bill had its origin in a pledge, on the part of the Government, that the zemindars should receive greater facilities from the prompt realization of their rents, in consideration of their unremunerated services in collecting the Road Cess and Public Works Cess, seems to render it the more to be regretted that no attempt has been made to simplify or cheapen the course of the law in this respect.

Lastly, the tenant-at-will, who is dignified by Mr. Ilbert with the title of "the ordinary ryot," is now no longer to be allowed to be a tenant-at-will, even if he wishes it. The position of tenant-at-will, often so convenient to a tenant, is to be abolished altogether. So far from his holding being determinable on the termination of his lease at the landlord's option, he cannot be ejected even for any misconduct, other than non-payment of rent, or certain breaches of the provisions of the Act! And again, as usual, we get the everlasting "Notwithstanding any contract to the contrary." And there is worse yet. Suppose it has suited the convenience of a landlord—who has perhaps planted fruit-trees in his land, and does not wish the land to lie idle while they are growing up—to take a temporary tenant for a short time at an abnormally low rent, it has also suited the convenience of a tenant to take this temporary holding at this low rent for this short time. Well, at the expiry of the term agreed upon, it seems to me that both equity and common-sense would say that there is an end of the transaction. The tenant has certainly had all he has paid for,

and all he expected. Not so, says Mr. Ilbert. If the tenant has paid his rent regularly, and has not transgressed certain provisions of the Act, the landlord cannot recover possession of his land; he can only bring a suit for enhancement of rent within the very stringent limits mentioned before, and even if he succeeds in this suit, and obtains a decree of ejectment, he then has to pay to the tenant, not only the full compensation for all improvements, but "compensation for "disturbance" to the tune of *ten times* the enhancement of rent demanded!

#### THE RESULTS OF THE BILL—(1) TO THE LANDLORD.

Such, in brief, are the main changes introduced by this Bill; and it seems to me that a mere recital of them is sufficient to show how sweeping, and indeed revolutionary, is their character. The landholders of Bengal and Behar, in their petitions to Parliament, come forward solemnly to declare that the Bill will "revolutionize the "present relations between landlord and tenant in the provinces of "Bengal and Behar"—will "re-distribute landed property on a new "and inequitable basis"—will "fetter the freedom of action of all "classes interested in agriculture by driving them at almost every "step of their mutual transactions to Courts of Law and fiscal officers"—will "foster disputes, litigation, and animosity, in lieu of peace, "harmony, and goodwill"—and is "a policy which, while confiscating "the property of your petitioners, will prove most detrimental to the "true interests and prosperity of the country."

And it will be seen that these most alarming statements are by no means mere unsupported assertions; they are, in each of the petitions, proved to demonstration, by a thorough and rigorous examination of those provisions of the Bill which I have briefly referred to. It will be acknowledged by every one, that all, and more than all, the most rasping conditions of recent Irish legislation—fixity of tenure, fair rent, free sale, compensation for disturbance, abolition of power of contract, and in fact the solid programme of the most "advanced" school—are to be introduced at a rush into Bengal, a country that differs as widely from Ireland, in every political and economical aspect, as it is possible for any two countries to differ; whilst, astonishing to relate, all these enormously valuable rights—filched from the zemindars in defiance of the most solemn pledges of the British Government in the Permanent Settlement, and reducing them (see Behar petition, clause 7) to the position of "mere cyphers upon their "estates"—are to be conferred upon, *not the actual cultivators, but what will practically be a newly-created class of middlemen, against*



whom the actual cultivators will possess no rights whatever, not even those rights which they now possess against the zemindars!! For such an astounding triumph of what the Behar zemindars justly called (clause 67) "visionary theories" over common-sense, equity, and good faith, it would be difficult to find a parallel in either British or Indian history. And, as if to accentuate the monstrous injustice of these proposals, I have shown it is to be doliberately enacted that they are not to affect "the procedure for the realization of rents in estates *"belonging to the Government!"*"—these are the very words of the Bill. Chapter i, Section 4 (c)!

Under the Bill, absolutely the whole of the effective control over the land—and consequently, of course, all the influence and *prestige* in the country that are attached to that control—will pass from the present lords of the soil to the new class of middlemen, consisting chiefly of money-lenders. Looking to the political effect of such a substitution, I think we must entirely agree with the Behar zemindars, when they declare:—

"Your Petitionere would further respectfully say that they have done nothing to deserve such treatment at the hands of the British Government. They have always been conspicuously loyal to the British Crown, during the times of difficulty at the beginning of the century; and during the more troublesome days of 1857, the zemindars of Bengal and Behar placed themselves, their influence, and their wealth, ungrudgingly at the disposal of the Government. But if this wealth, and this influence is destroyed, to what class of the community will the Government in future look for support? If the zemindars, whose welfare has always been bound up with the British Government, are sacrificed to visionary theories, what class of the community will be able in future to repose with confidence on—what had up to the present time been inviolable—the honour and good faith of the British Government?"

I would earnestly implore Lord Ripon and his advisers solemnly to ponder these striking words, so eloquent in their simple truthfulness. To those who know anything of the history of British rule in India I need hardly say that the landowners of Bengal and Behar form a large and most important community, with a few rich men, and thousands of very poor men, unsurpassed in loyalty and devotion to the just and benevolent Government that has hitherto protected them, and every other community in the land, with scrupulous impartiality. Well may these men ask what they have done, that they should be thus treated by the British Government. It is well known that the stringent provisions of the Permanent Settlement, and the exorbitant assessment made under it, ruined the greater part of the old aristocracy within comparatively a few years of its enactment; and now Mr. Ilbert's proposals, if carried into law, will ruthlessly sweep away, not

only the few families that survived those early days of disaster, but also the thousands whose chiefs have from time to time purchased or enlarged their domains, actually on the faith of the pledges of the Government of India. For what will, if we look into the matter closely, be the exact position of the titular landholder under the proposed legislation? In the first place, he will be liable to Government, under all the rigorous penalties of the inexorable Sunset law, for the prompt payment, to the very minto, of the uttermost farthing of the revenue demand; and he will also be liable for the prompt payment also of the Road Cess and other State burdens. Next, he will still be expected, though with an over-decreasing income, to meet most, if not all, of those old claims of his liberality and his public spirit that were cheerfully acknowledged in the past time of prosperity. He will, it is true, be entitled under the law to receive a certain income from his virtual successors in the possession of the land, *if he can get it*. But what are the probabilities on this point? Everything is against the nominal landlord. A *maximum* income, far below what he gets now, far below what he conceives to be his due, and certainly far below what he could get if a "Free Market" had been one of the Government's, is fixed for him by the law. Beyond this he is not allowed to receive anything; but there is no *minimum* of abatement on the other side. In my sketch of the law, I have only alluded to a few of the methods by which tenants will in future be able to harass their landlords and lower their rents, either singly, or (still more irresistibly) in combination. Litigation under the proposed Act will be for the tenant little more than a game of "Heads I win, tails you lose;" for every presumption is on his side, all *onus* of proof is laid on the landlord. If he wins, he mulcts the landlord heavily; if he loses, he is in many cases no worse off than before, for no penalties are attached to his vexatious proceeding, and he cannot be ejected or otherwise punished. What is likely to be the condition of the landlord—how often is he likely to get even the miserable maximum allowed by the Bill—when he is liable to be continually forced to pay black mail under the so-called pre-emption clause, to pay compensation for disturbance, to pay exorbitant penalties when he attempts to get what he believes to be his dues, to recover nothing from unsuccessful abatement suits, and to suffer heavy permanent loss whenever luck or the whim of the Court gives an abatement suit against him? What is likely to be the fate of any landlord (unless he has enormous wealth) who happens to have on his land a set of wily land-grabbers whom he cannot possibly shake off, who stick to him like leeches, and avail themselves of every turn of fortune and every vagary of the law

to suck him dry? The tenant can run away from the landlord; the landlord cannot run away from the occupancy-tenant. The tenant is allowed to squeeze as much as he can out of the landlord: the landlord is not allowed to squeeze anything (beyond limits that are absurdly inadequate) out of the tenant. Under these circumstances it is clear that in the long run the land-grabbers must win; the landlord will always be fighting a losing battle, and the rent (as far as *he, the landlord*, is concerned) will always be a diminishing quantity.

But if this is likely to be the unhappy position of the landlord in regard to his *income*, it will certainly be much worse in regard to every other consideration that has hitherto made the possession of land valuable. I would like to ask this plain and simple question of any supporter of the Bill:—What other rights, beyond those of a mere annuitant, will be left to the nominal landlord over his land? Will he be able to choose his own tenants? Will he be able to extend his domain-land? Will he be able to diminish the extent of his domain-land, except at a serious pecuniary risk? Will he be able to attach his own conditions, in any way whatever, to the cultivation of the soil? All these privileges, and every other right of property in the land worthy of consideration—save only its public burdens, and the claim to receive a dwindling annuity from its practical owners—will have been transferred to the money-lenders from the nominal landlords.

And once more, who are these nominal landlords, the zemindars? I have said that they consist of a few rich men, and thousands of very poor men; and in support of this, I would refer you to some very striking statistics that have lately been compiled, and published in *The Hindoo Patriot* under the title of "The Financial Status of the Zemindars." Many undoubtedly benevolent people in England fancy that, in attacking the zemindars the Government is only forcing a gang of wealthy oppressors to disgorge a portion of their ill-gotten gains. I imagine these worthy folk will be somewhat taken aback when they learn that, out of a total of 206,000 zemindars in Bengal, no less than 197,000 enjoy the magnificent average rental of something less than Rs. 7 a month, or say £8 a year; and of the rest, 8638 (who may be called middle-class zemindars) own an average rental of Rs. 229 a month, or say £320 per annum. This leaves us the wonderful number of 441 persons who alone can be wealthy zemindars!—out of a total of 206,000 zemindars whose rights and pockets are attacked by this Bill. And let me point out to you that it will be exactly these small zemindars who will suffer first and most severely from this Bill. For large numbers of them will probably

be at once ruined by the sudden contraction of their credit that will follow the passing of the Bill, and the consequent depreciation of the value of zemindari property; and, indeed, when the Lieut.-Governor of Bengal visited Behar a few months ago, the associated landholders of that province laid the most alarming facts before him as to the effect already produced by the mere introduction of the Bill. "The 'selling price,' they assured Mr. Thompson, 'of small zemindaries has, since the agitation for changes in the rent-law has commenced, fallen 'from thirty-two years' to sixteen years' purchase, and there is a 'tendency to further decrease.' And they also declared that, where sales had been in course of negotiation when the agitation commenced, the buyers had held off in anticipation of the great depreciation in the value of the land to be expected."

#### THE RESULTS OF THE BILL—(2) TO THE TENANT.

"But," it may perhaps be said, "if all these good things, all this 'influence, all this power, all this hard cash, be taken from the *wealthy* 'zemindars'—passing rich on £8 a year!—'to be distributed among 'the needy ryots, surely that in itself will be a great achievement.'" Well, if the fact were so, it might possibly be regarded as a very good thing by many excellent people in this modern age of "practical politics," when that which is apparently expedient for the moment is so often allowed to over-ride alike the dictates of morality and the teachings of political economy.

It may be admitted that the immediate and ostensible benefits are sufficiently specious to give colour to those incentives to discontent and disturbance which are being flaunted before the wondering eyes of the hitherto fairly contented and prosperous Bengal ryot by the supporters of Lord Ripon's policy. The ryots are not only promised, by the Bill, a sudden and outrageous extension of those occupancy-rights which they have been hitherto peacefully and quietly acquiring under the operation of Act 10 of 1859, but they are also to be endowed with the power of free-sale of these occupancy-rights—a power that is absolutely foreign to all the customs and traditions of the country. A great deal has been made of some exceptional or local customs of free-sale, said to be especially prevalent in the district of Backergunge; but how far they have been really prevalent may be estimated from the following words of Bahadur Nuffer Chandra Bhatta, the first Subordinate Judge of the Twenty-four Pergunnas:—

"Of the alleged custom I have not been able to see one instance in which it was proved in my experience of nearly 18 years in the Districts of Nuddia, 24-Pergunnahs, Moorshedabad, Backergunge and Dacca. Ryots sometimes sell such

rights; but landlords do not recognize such transfer, by receiving rents from the purchasers, unless they pay them *salami* or submit to an enhancement of rent."

The fact is, the gift of this power of transfer really is, and will strike the imagination of every discontented ryot, as being a *douceur* in ready cash, arbitrarily extracted by the Government from the pockets of the zemindars and presented to the ryots. For, with numerous money-lenders in every district eagerly thirsting for investments in land, and large numbers of indigo-planters reasonably anxious to acquire extended facilities for sowing indigo, it is perfectly certain that the market for this class of investment, to be created under the Bill, will be a most lively one—and that these transferable occupancy-rights (which are henceforth to confer an infinitely more effective control over the land than that which will be vested in the nominal land-holders) will be sold to the new middlemen, until there are no cultivating occupancy-ryots left with a *bighā* to sell. I confidently ask you, Is not such a measure certain, in the long run, so far from improving the condition of the cultivating ryots, to degrade them to the condition of day-labourers hardly better off than serfs?

The amazing thing is, that Lord Ripon's Government seems to be perfectly aware of the mischief it is doing—and to be placidly content to bequeath to its successors the duty, not only of repairing the frightful damage, but even of ascertaining whether there be any possible means of repairing it. Mr. Ilbert, in Section 41 of the "Statement of Objects and Reasons" annexed to the Bill, blandly remarks:—

"That the powers of transferring which the Bill recognizes may in time lead to a state of things in which the great bulk of the actual cultivators would be not occupancy-ryots, but under-ryots with little protection from the law, is indeed within the range of possibility; but if such a state of things should ever arise we may rest assured that the Government of the day will know how to deal with it."

It will be readily believed that Lord Ripon's Law Member would hardly make such a damning confession as this, if the probabilities of the case were not so patent as to be beyond the range of honest or even decent controversy. When Mr. Ilbert admits that it is "within the range of possibility" that the great bulk of the actual cultivators will, under this beautiful Bill, lose their status as occupancy-ryots, and become "under-ryots with little protection from the law," few will find it hard to believe the positive assertion of nearly every impartial bystander, who is familiar with the circumstances of the country, that the great bulk of the actual cultivators are *absolutely certain* to become mere coolies, with no protection whatever (in regard to rights they will no longer possess) from the law. The only hard thing to believe,

in the whole matter, is, that any Government could thus—with their eyes open—with no pressure or demand from any person or class, and in cynical disregard of the protests of the class immediately affected—persist in forcing on the ryots a boon that must be fatal to *them*, whilst it is filched from the zemindars, whom it will leave poor indeed. And he it remembered that Lord Ripon is insisting on this most important and most pernicious Transferability Clause in direct defiance of the recommendations of the Behar Rent Commission of 1878—and in opposition to the experience of the North-Western Provinces, where occupancy-ryots are not permitted to transfer their holdings.

And I would remark, *par parenthèse*, that when I speak of the occupancy-ryot having the right of “free sale” under the Bill, I can only do so with a qualification. He can sell his occupancy-right to anyone he likes (to his landlord’s greatest enemy, for instance) except—to the landlord himself! It is true that the landlord is mocked, as we have seen, with a proviso that purports to give him the privilege of pre-emption, “at a price to be fixed by the Civil Court.” But when we examined what it is he is allowed to buy, we found it to be a commodity altogether different from that which any other purchaser would acquire. We found it to be, in point of fact, a commodity absolutely valueless, except in the very unusual case where the landholder might be able to undertake the personal cultivation of the land. On the other hand, if a money-lender or anyone else buys it, not only can he sell it, or deal with it precisely as he likes, but further—the tenants who now take the land, and cultivate it under the money-lender, have no rights whatever against him, not even Mr. Ilbert’s “little protection from the law!”

The tradition that a curse is attached to the enjoyment, even under the sanction of the law, of that which rightfully belongs to others, is doubtless a superstition outside the sphere of our modern “practical politics.” But it seems to me very evident that, under the simple operation of ordinary economic laws, the property that Lord Ripon proposes to take away from the landlords of Bengal will benefit no one, except perhaps the money-lender and the tax-gatherer. Doubtless, while the plunder is being consumed, there will be a brief and illusory appearance of prosperity in the country. On the proceeds of the loot, the ryots will have a short spell of “ryotons” good living—that is to say, marriages, fireworks, feasts, and *tamashas* of all sorts will be the order of the day. But when all the fireworks have been burnt, and all the feasts consumed, what is the state of affairs with which the Government will be brought face to face? Who will then occupy the places of the trustworthy, responsible

revenue-payers who now own the land, and of the fairly contented and prosperous peasantry? We shall have a deeply impoverished class of rent-chargers, nominally land-owners, but really retaining few of the privileges of the position, except that of being sold up under the Sanset law for default of revenue. We shall have all the effective control of the land, such as the right of transfer, etc., vested in a new class, consisting of money-lenders and other *novi homines*, utterly devoid of sympathy for the actual cultivators, and bound by no responsibilities towards either the State or the ryots—a class that will naturally consider its whole duty to begin and end in the payment of the zemindars' annuities, and that will enjoy the fullest liberty to grind down the unfortunate cultivators. And what will be the condition of these latter? I think we should implore Lord Ripon and the Government to consider this carefully before it is too late. The actual cultivators will not only be without rights of any kind, or "protection from the law;" they will be without means, without the credit they have hitherto been able to fall back upon, living from hand to mouth in time of prosperity, and in time of famine entirely at the mercy of speculating employers, who will have none of that permanent interest in their ultimate welfare which has hitherto been a bond of union between landlord and tenant. Is this a state of affairs that can be contemplated with satisfaction? It is true that the Government will have succeeded in freeing a large share of the landed property of Bengal from the trammels of the Permanent Settlement, so tantalizing to those financiers who look upon confiscation as a fair source of revenue. It is true that the Government will be able to impose heavy taxation on the middlemen who will have become the real owners of the land of Bengal, with perhaps less inconvenience than would be caused by a downright open and "honest" violation of the Settlement. But will any statesman maintain that this trivial, not to say underhand, fiscal advantage will atone, either to the country or to the Government, for an impoverished and displaced land-proprietary, for a demoralized and pauperized peasantry, and the soil in the hands of land-jobbers?

Mischief and suffering, hardly less grave, will also be inflicted on the ryots by the abolition of freedom of contract in agricultural transactions. "Notwithstanding any contract to the contrary," is a phrase so characteristic of the lawlessness and bad faith of the whole of the proposed legislation, that it might serve as a motto for the supporters of the Bill. It is declared by Mr. Ilbert, in his "Statement of Objects and Reasons," to be "essential;" and I have no doubt that Mr. Ilbert is very confident that, in insisting on this principle, he is

doing the ryots a service. He condescends to give the reasons for his belief, by quoting from a letter of the Government of India, which doubtless conveys his own views at a somewhat earlier period. He says:—

"Such is the power of the zeminders, so numerous and effective are the means possessed by most of them for inducing the raiyats to accept agreements which, if history, custom, and expediency be regarded, are wrongful and contrary to good policy, that to uphold contracts in contravention of the main purpose of the Bill would be, in our belief, to condemn it to defeat and failure. It is absolutely necessary that such contracts should be disallowed, and in this conclusion we have the support, not only of the Bengal Government, but also of the almost unanimous opinions of the Bengal officers."

The "almost unanimous opinions of the Bengal officers" is somewhat vague. Most of the "opinions of Bengal officers" to which I have had access have happened to be exactly opposed to these "almost unanimous opinions;" and though it is, of course, quite possible that they may be exceptions that prove the rule, still it is also possible that Mr. Ilbert may have generalized too hastily from a limited number of opinions before him. We know, at any rate, from *The Times* telegram of Monday last, that the majority of the opinions of the district officials, lately sent in to Government, are "unfavourable" to the Bill generally; and I doubt very much whether the practical and experienced officers of Bengal would support such a measure as the wholesale sweeping away of contracts, past, present, and future, as proposed by Mr. Ilbert. It is true that the ryots will be the chief gainers by his application of the sponge so freely to *past* and *existing* contracts—simply because he takes care to enact at the same time that all contracts in favour of the ryot shall still be strictly enforced, notwithstanding any legislation to the contrary. But who, I ask, will be the real sufferers by the abolition of contracts in the *future*? Will it be the zemindars, who, according to Mr. Ilbert, already possess all the advantages enumerated above, which hardly need to be increased under contracts, and which ought to enable them to get on very comfortably without contracts? Will it not rather, and most obviously, be the ryot who will suffer by a provision that deprives him of the right of an intelligent human being to avail himself of the protection of the law, in settling the terms of his agreement with the landlord? To the landlord, the loss of the right to contract—though insulting and often vexatious—can seldom be a matter of the first importance. For instance, even in regard to the acquisition of occupancy-rights by a settled ryot holding ryoti land—the case over which Mr. Ilbert shouts his war-cry of "Notwith-



"standing any contract to the contrary," with greatest gusto—a zemindar who is evilly disposed, or who thinks himself justified in treating his ryots with the same bad faith that is shown to himself by the Government, would be able, if sufficiently unscrupulous, to "walk round" the Act. But to the ryot it will often be a matter of great convenience, nay, of the highest importance, to be able to secure some considerable personal benefit in return for the relinquishment of his rights under this clause of the Act; and this, if the Bill passes, he will be absolutely unable to do. Often it will happen that the ryot, under this grandmotherly legislation, being unable to enter into a legal and binding contract to obtain an advantage of great importance to him, will have to give vastly more in some one of those numerous illegal or circuitous ways which are always devised to meet the necessities of such cases. Every economist knows that usury laws mean ruinous interest for those who can least afford it, illegal understandings, and demoralization. High customs-duties mean not only high prices, but also extensive smuggling; and so in everything. And the abolition of freedom of contract in agricultural negotiations in Bengal will most infallibly produce a vast deal of utterly gratuitous suffering on the part of those whom the Government professes to wish to benefit, together with much underhand and illegal bargaining and wide-spread demoralization. As the Maharajah of Darbhanga well put it, in the debate in the Viceroy's Legislative Council last March, "Parties understand their own interests better, and it is idle for the Legislature to affect to protect their interests." It is, at any rate, worse than idle for the Legislature to attempt to do so, on the strength of such a limited comprehension of the real nature of those interests, as that displayed by the authors of this Bill.

#### THE RESULTS OF THE BILL—(3) TO OTHERS.

Indeed, to say the truth, I can find no set-off whatever to the mischief that will be wrought by the Bill, alike to landlords and to tenants. I think what I have already said is sufficient to dispel the notion that the State revenue will derive any durable benefit from the violation of the Permanent Settlement; though we must all be aware that the suspicion, that some such vague hopes really underlie the action of the Government, is widely prevalent among the people of Bengal. It is not surprising that such a suspicion is entertained; for as a matter of fact, the Bill really does take away from the zemindars a considerable proportion of the landed property of Bengal, which proportion is, *ipso facto*, freed from the slight restriction on

taxation that is still believed to be imposed by the Permanent Settlement. But this inconsiderable gain (if it be considered a gain) in taxing power, will not make up to the Government what it must surely lose in the general disquietude and depression produced by this Bill, in the stoppage of all improvements in the cultivation of the land, and in the substitution of a much less trustworthy class of taxpayers in place of the prosperous and responsible men who now pay land-revenue.

It has been said that the indigo-planters will be benefited by this Bill. It may be that they will obtain some temporary advantage, by acquiring the rights of occupancy-ryots, and being thereby able to bring more land under indigo-cultivation; and also by the fact that the transferability of the ryots' jets will afford additional security against the ryot in all dealings between indigo-planters and ryots. But against these benefits must be set the consideration that they obviously will tend largely to increase the unpopularity of indigo-planting among all classes of the native population, and may not improbably result in placing many indigo-planters in an unpleasant position of antagonism with their neighbours of all classes. Moreover, the indigo-planters, whether they happen to be zemindars themselves, or whether they happen to be ryots, will infallibly suffer with all the rest of the community. And so, too, will the lawyers and the money-lenders, the classes that will benefit most immediately under the Bill. The impoverishment of the zemindars, and the degradation of the ryots, will really be, alike for money-lenders and for lawyers, the killing of the goose that lays the golden eggs.

#### THE ORIGIN OF THE BILL.

If I have at all succeeded in exposing the dangerous nature of the proposed legislation, the questions will at once occur to everyone—What was the origin of this Bill? What excuses are offered by the Government of India for its revolutionary provisions? What demand was there for it? Is it right for the Government thus to re-distribute the landed property of Bengal? To these questions I now address myself, by the light of Mr. Ilbert's "Statement of Objects and Reasons"—a document which I would venture to commend to the study of all those who desire to comprehend the somewhat startling course of current legislation in India.

First, as to the origin of the Bill. Mr. Ilbert, in paragraphs 4, 5, and 6, of his "Statement," refers it to a general feeling of dissatisfaction with the existing law of landlord and tenant in Bengal, and especially with the working of the famous Act X of 1859, and

its corollary, Act VIII of 1869. This has doubtless been its origin, as far as Mr. Ilbert has been concerned with it. But as a fact, it is well known—and, I believe, is not disputed—that the ball was first set rolling in consequence of the pledges of the Government that the landowners of Bengal should receive some compensatory advantages for the hardships inflicted on them by the Road Cess legislation in the time of Sir George Campbell. The zemindars themselves, and many others, considered that those hardships amounted to a direct violation of the Permanent Settlement; and I believe that Sir George Campbell himself, and those who thought with him, acknowledged that the landowners might fairly claim some advantage from Government in return for the responsibility for the Road Cess and similar burdens that was imposed on them. It was, I believe, then understood that the Government would introduce a measure to redress the landlords' grievances in regard to the difficulty of promptly realizing their rents under Act X of 1859, and Act VIII of 1869, as some set-off to the admitted hardships of the Road Cess and other legislation of that period. One thing and another came in the way, to prevent Sir George Campbell and Sir Richard Temple successively from putting this benevolent intention into effect. As the necessary enquiries went on, their scope appears to have gradually been extended. In the meantime a school of reformers had come into power in India, whose eyes appear to have been dazzled by the splendid achievements of slap-dash land-reform in Ireland. And thus it has come about, that what was to have been a tiny measure of redress has grown into a magnificent measure of confiscation.

• THE ARGUMENTS IN FAVOUR OF THE BILL—(1) THE RIGHTS OF GOVERNMENT.

Mr. Ilbert defends his proposals from the imputation that they constitute a breach of the Permanent Settlement, on the ground of the right that must be inherent in every Government to legislate for the "protection and welfare" of all classes of its subjects, and also on the ground that this inherent right was specially reserved by one of the articles of the Settlement. On this, all I have to say is, that Mr. Ilbert is here defending a position that has never been assailed. I should never dream of denying the inherent right which Mr. Ilbert claims for the Government; I should not have dreamt of denying it even if it had never been alluded to in the articles of the Settlement. But what I venture to contend is this:—

"You have, rightly or wrongly, wisely or unwisely, made the most

“solemn pledges to the zemindars of Bengal in the Permanent Settlement—pledges ratified in language as rigorously exact as that of any covenant in history, and obviously intended to be regarded as specially binding on the British Government and on the honour of the British nation. On the faith of these pledges men have bought and sold land in Bengal for nearly a century—have hequeathed it, have endowed religions and charitable institutions with it, have burdened it, and otherwise dealt with it in every conceivable way. Under these pledges, the hulk of the land of Bengal has changed hands—a large proportion has changed hands times out of number. You yourselves, the Government, imposed the conditions of these pledges on the zemindars by an act of despotic power, on the penalty of their losing their position in the country. At first the conditions of the settlements were undeniably hard on the zemindars, and favourable to you; you reaped great and permanent benefit, while the zemindars of that period were almost universally ruined by it. The country has, however, prospered under the system, and now the balance of advantage has turned to the side of the zemindars. Whilst, therefore, fully admitting the right you claim, as a Government, to legislate ‘for the protection and welfare’ of other classes of your subjects, I say that equity and statesmanship alike demand that you should conclusively show (1) first of all, that the interference with the Permanent Settlement, which you propose, is *absolutely necessary for the ‘protection and welfare’ of other classes*; and (2) that it in no way interferes *unnecessarily* with the due fulfilment of a covenant, the advantages of which you have already received, and any unsettlement of which must be entirely in your favour. To these two conditions, the opinion of many would attach a third—that any avoidance of such a covenant on the part of Government ought to be accompanied by provision for the fullest compensation; but whilst personally I entirely agree with this view, it is unnecessary for me to encumber my argument with any further reference to this point.”

THE ARGUMENTS IN FAVOUR OF THE BILL—(2) THE MISERIES OF  
THE RYOT.

But is it a fact that the proposed changes are absolutely necessary for the “protection and welfare” of the ryots of Bengal? I venture to think I have already shown grave reason to doubt whether the changes will in any way conduce to this “protection and welfare.” But even if the effect of the changes were likely to be as good as I

believe it is likely to be bad—still, I ask, are any such changes called for? Are they demanded by the ryots, or by these who are really qualified to speak on behalf of the ryets?

In answering this question, it is only fair to Mr. Ilbert and the Government of India that I should acknowledge frankly, that they have put forward no such absurd and preposterous appeals *ad misericordiam* on behalf of the Bengali ryot, as we have seen and heard put forward by well-meaning but ill-informed persons in England. We have some of us probably read a recent article in an English magazine, written by a lady of whom I would not say one word save in terms of the deepest and most sincere respect. In that article the astounded Indian and Anglo-Indian reader is taught that "From exceeding centralization, ryets have been toiling in Madras and starving in the Deccan, in order that gentlemen in Bengal may enjoy incomes of hundreds of thousands a year, free from taxes;" and much more to the same effect. I do not for a moment doubt that this unspeakable nonsense is implicitly believed by the venerated writer of the article; and yet everyone, who knows anything at all of the real facts of the case, will see at a glance that the statements are not only untrue—their untruthfulness is simply amazing. Just analyze the one sentence I have quoted. "Incomes of hundreds of thousands a year." Those may be counted on the fingers of one hand—the income-tax returns show that only forty-three gentlemen in all Bengal enjoy an income of even £6000 a year and upwards from land! "Free from taxes." This is perhaps a riddle—unless, indeed, it means that land-revenue payments are not taxes, in which case it is difficult to see how land is to pay taxes at all! Ryets "starving in the Deccan," to save the pockets of gentlemen in Bengal; here again, even if we admit that ryets are starving in the Deccan, it is difficult to see how that affects the gentlemen in Bengal. If it be a fact that ryets are starving in the Deccan, and if the fact has any connection with the fiscal system at all, surely it does not tell against the fiscal system of Bengal, which you propose indirectly to interfere with, but rather against that of the Deccan (Bengal), to which you seem to wish to assimilate the Bengal system. Then again, in other parts of the article, we are asked to commiserate the poor weakly ryots of Behar as compared with their sturdier brethren of the Gangetic Delta—this "sturdiness" being called in to account for all these benefits which these who are acquainted with the facts attribute to the extraordinary development of the jute industry in Eastern Bengal, and to other similar circumstances. And again, the astonishing position is taken up that the average Bengal ryot is

worse off than the average Madras or Bombay ryot, notwithstanding the "toiling" and the "starving" of the latter.

Now, of course, we all know that this is pure and unmitigated nonsense, though certainly written with the best intentions. I am bound to say that the Government of India does not commit itself to anything of this sort. Only in one single sentence does Mr. Ilbert, in his "Statement," advance anything that even approaches to the *ad misericordiam* argument; and that is when he says—

"In Behar, where the social and economical conditions of the country tend to give the landlords the upper hand, we hear of tenants rack-rented, subjected to quasi-feudal oppressions, and arbitrarily ousted from their holdings; in Eastern Bengal, on the contrary, where circumstances favour the tenants, we hear of landlords who not only cannot obtain the enhancement of rent to which they are entitled, but at times, when tenants combine against them, cannot even recover what is admitted to be due at existing rates."

But what are the *facts* about Behar? Mr. Ilbert is evidently writing from the reports of a good many years ago—when it happened that a large proportion of the land of Behar, owing to the minority of several large zemindars and to other causes, was *under the direct management of the Government*, and when it is admitted that a somewhat hide-bound system of management may have worked injuriously to the ryots. But what are facts *now*? Let us appeal to Sir Ashley Eden, the late Lieutenant-Governor—confessedly one of the very highest authorities on the question, and one whom no one will accuse of being partial to the zemindars. In 1881, in addressing a deputation of the Behar landholders, Sir Ashley Eden thus spoke of the condition of the rural population in that portion of his satrapy—

"I can assure you that nothing has given me greater pleasure than to notice, as I have had ample opportunities of doing, the extraordinary improvement in the condition of the people. It is made manifest in a hundred ways daily, even to the most casual observer. I hear the same story from all classes, official and non-official, and it is a matter for general congratulation.

"This improvement is due to various causes: first and foremost, to several unpreceding harvests, plentiful almost beyond the recollection of the present generation, and those full harvests followed years of trial and famine; next, there has been, with growing prosperity, an increase in the value of land, a general awakening of the cultivating classes, and an improved knowledge of their legal rights and privileges, and this has, I hope, been accompanied by a strict administration of the law. Then there has been a greater readiness on the part of landlords to recognize and affirm the rights of cultivators, and I hope that this may to some extent be due to the influence of your Association."

The Maharajah of Darbhanga, a distinguished member of the Viceroy's Council, and himself one of the largest and most liberal landowners in Behar, fully confirms Sir Ashley Eden's opinion. In the debate on the Bill last March, the Maharajah said—

"I might safely say that, as far as Behar is concerned, no change in the present law is needed: neither the ryots nor the zemindars have asked for a change, and that in itself is sufficient proof that no change is needed. The zemindars certainly do not wish to get any further facilities for the collection of their rents, and the tenants also do not complain of any oppression by the zemindars. A great deal has been said about the oppression of zemindars in Behar, and I doubt not that in Behar there are a few bad zemindars as well as a few bad ryots. But it is most unjust to think that all the Behar zemindars, as a class, are oppressive. That there was a great deal of oppression in former days I do not deny, but Mr. Reynolds, after his last tour, was able to say that things have quite changed of late."

And in the same debate, the Raja Shiva Prasad spoke even more strongly of the comparatively easy condition of the Behar ryot—

"My lord, for seven years I have had to look after the affairs of Bettiah, which is one of the largest zemindaris in Behar, and I am in a position to assure your Excellency that I have not found a stronger set of ryots, happier or better off, in any part of the country, from Cashmere and Rajputana down to Puna and Haidarabad."

Now, if this, according to the highest possible authority, is the condition of the ryot in Behar—admitted to be that part of the province in which the population presses most heavily on the land, and where, too, there had been, not long before the time of Sir Ashley Eden's tour, an unprecedented series of unfavourable seasons and scanty harvests—what becomes of the necessity of legislating for the "protection and welfare" of the ryot? Here, in the very districts that have suffered most from the too rapid increase of the population and from the inclemency of nature, we find the ryot not only fairly happy and contented, but also in a state of progressive prosperity that promises everything for the future, if only he be let alone.

After this, it is almost unnecessary for me to speak of the condition of the Bengal peasantry in the other parts of the province, where even Mr. Ilbert confesses that "circumstances favour the tenants." This is what Sir Ashley Eden said of that peasantry in 1877, after an extended tour in the interior:—

"Great as was the progress which I knew had been made in the position of the cultivating classes, I was quite unprepared to find them occupying a position so different from that which I remember them to occupy when I first came to the country. They were then poor and oppressed, with little incentive to increase the productive powers of the soil. I find them now as prosperous, as independent, and as comfortable as the peasantry; I believe, of any country in the world; well-fed, well-clothed, free to enjoy the full benefit of their labour, and able to bold their own or obtain prompt redress for any wrong."

Such is the condition of the class, for whose "protection and welfare" Mr. Ilbert now declares that it is absolutely necessary for

the Government to interfere to take the strong measures indicated in the Bill, and to shake the confidence of the whole of India in the most solemn pledges of the British nation.

No words of mine could add any strength to the clear, unfaltering testimony of the first living authority on the subject. Still, I may be permitted to say this much, that I have lived for years in the rural districts of central Bengal, and that in regard to those districts at least I can vouch for the absolute accuracy of Sir Ashley Eden's description. I have always found the Bengal ryot a shrewd, happy, business-like fellow: given to extravagance, no doubt, on great occasions when excuse offers—extravagance that would most certainly induce him to sell his *jot* to the nearest money-lender the moment he got the chance, and eat or marry it all up—but otherwise fairly prosperous, thoroughly contented, and altogether fully able to look after his own interests. To that peasantry I would most unhesitatingly apply the apt description I once heard our noble Chairman give of them—*Beati nimium sua si bona norint*; and more, I am very sure they do on the whole recognize the comparative happiness of their lot, if only the *doctrinaires* and the agitators will let them alone.

And to what condition would you reduce them, by this measure for their "protection and welfare"? Out of Mr. Ilbert's own mouth I have shown you that there is an exceedingly good chance of their being degraded to the position of under-tenants, with no rights of any kind against anyone—that is, to the condition of serfs. And to those who blindly hope for an improvement of the position of the cultivators under any fiscal system other than that of a Permanent Settlement, I would suggest a perusal of the Duke of Argyll's despatch on the Road Cess question; and I would say, Do you wish to see introduced into Bengal the state of affairs that prevails in the Deccan, for which every now and then we are driven by sheer humanity to enact Ryot Relief Acts of sorts? Only a few months ago we heard a good deal about the Deccan peasantry from Sir William Wedderburn, when he called on us to deliver them from the clutches of the ubiquitous and all-powerful money-lenders, by the doubtful device of setting up land-banks to compete with the *mahajan*. Sir William Wedderburn showed us very clearly how badly the ryots need relief, and how enormous is the interest they have to pay, with the kind of security they have to offer:—

"In the Deccan the ordinary monthly rates of interest are 1, 2, and 3 per cent., according to the credit of the borrower; that is, the ryot with good credit can get money at 12 per cent. per annum; the man of middling condition pays 24 per cent.; while 36 per cent. and even more is demanded from the man who needs



money badly. For the average borrower we may take 24 per cent. as the rate. And it is quite evident that no system of agriculture can pay if burdened with such a charge upon the capital employed. . . . Again, compound interest mounts up if, owing to bad seasons, payments fall into arrears. And finally, when the debtor gets into serious difficulty he is sued in the civil court, which, as we all know, is an expensive process. For a claim of Rs. 100 court fees of sorts amount to about Rs. 25, and there are besides heavy incidental costs, all of which ultimately fall upon the debtor. Under these circumstances we cannot wonder that one peasant after another becomes embarrassed, and that having once stumbled he finds it hard to get upon his feet again. Indeed the wonder is how the ryot can maintain himself at all."

And how is it that he has to pay such enormous interest? Doubtless in India competition among the soncars is not so keen as altogether to exclude considerations of custom; but still I think we may take it for granted that, in India as elsewhere, high interest means doubtful security. And what did Sir William Wedderburn tell us about it? He said of the Deccani ryot—

"He is indeed the absolute proprietor of his holding subject to the payment of the Government Assessment; and if this Government demand were either *fixed or limited in a definite way*, the security would be good; but this is not the case, the demand being liable after every thirty years to an enhancement which may swallow up the margin of profit upon which the mortgagee depends. The theory no doubt is that the enhancement will not touch improvements made by the holder, and those who support the existing land system maintain that in practice the demand is not increased except on fair and sufficient grounds. But I feel bound to admit that this view of the case is not accepted either by the ryot himself or by those who would otherwise be willing to invest their savings in land."

Here then, in the lack of fixity in the Government demand, is shown to lie the root of all these terrible sufferings, for which we have to devise measures of relief in Ryot Relief Acts or Land-banks. But how far worse will be the position of the Bengal cultivator under this Bill of Mr. Ilbert's for his "protection and welfare!" For his real landlord will be the money-lender who has bought the occupancy right, obviously with the intention of dealing with the land on strictly commercial principles. The money-lender, in his new capacity of landlord, will not be trammelled by any of those "sentimental" considerations which so often moderate the rigour of commercial transactions between landlord and tenant, when the relations between them have subsisted from generation to generation. The Government officer is bound by his conscience, and his duty to the State, to be simply a machine in carrying out the orders of the Government without respect of persons; and the *mahajan*-landlord is also bound by his commercial principles to be a rack-renter, against whom the actual cultivator is to have absolutely no protection from the law, and

whose demands will cease only when there is nothing more to be squeezed. Nor are those demands likely to be moderated by the fact that this new class of landed proprietors will be liable in their turn to be squeezed by the demands of Government, without any of the awkward restrictions of the Permanent Settlement.

And it seems to me a very significant point, to be considered in estimating the value of Mr. Ilbert's anxiety for the "protection and welfare" of the ryot in the abstract, that we hear nothing about these philanthropic measures, of transferability of tenure, and the like, in the North-Western provinces or elsewhere, where the Government revenue would certainly be affected by them. Even Mr. Hunter, a thick-and-thin supporter of Lord Ripon's policy, complained the other day, in the debate in Council on the Central Provinces Land Bill, that the twelve years' occupancy-right had been abolished by that Bill, out of regard for the Government's interests as a landlord! Mr. Ilbert feels that all these privileges are absolutely necessary for the ryot in Bengal, where they come out of the pockets of the zemindars; but they lose their sovereign virtue in every province where the Government stands in the place of the zemindars, and also even in Bengal, in Government estates. And yet, if a tithe of what we have heard of the periodical settlements in some of these provinces be true, the Government might fairly take the beam out of its own eye before meddling with the mote in the zemindar's eye. For instance, the Raja Shiva Prasad of Benares told a story in Council the other day about a settlement made by Sir Auckland Colvin, which acquires additional interest now that Sir Auckland has become Finance Minister :—

"I have heard," said the Raja, "though I will not vouch for its exact authenticity, that a zemindar in the Allahabad district, finding the rates fixed by Sir Auckland Colvin when he was Settlement Officer there, unrealizable, and being thus unable to pay the Government demand, made a bequest of that village in favour of Sir Auckland and left it."

Is not the Raja well within his right, when he prays Lord Ripon to go to "the provinces where the Government is an interested party" and shares in the rise or fall of the rent," and there first of all introduce such provisions as these of "The Bengal Tenancy Act"? "Then," he rightly concludes, "and only then, would the Government be justified in coming forward in the permanently settled provinces" and telling the zemindars, 'Friends, you also cannot go beyond that.'"

Mr. Ilbert and his supporters are very strong on the "magic of property," which is to turn every ryot in Bengal into a thrifty

peasant, as soon as he has been endowed with "property," transferred from the landlord's pocket to his own. Well, even if we doubt the morality of the means, it may be admitted that the dream of a thrifty well-to-do peasantry, above the reach of poverty, and free from all the evils that result from over-population or prodigality, is one that may well strike the imaginations of Mr. Ilbert and Lord Ripon. But how is it that they have not the same bright dreams for the peasantry of those provinces where the "magic of property" would have to be conjured out of the pockets of the Government? Why, simply because the Government sees clearly enough the futility of these socialistic visions, when it has to pay for the experiments itself.

Surely the truth of the matter is this: that the dole of a lump sum, taken from the zemindar and transferred without consideration to the ryot, will not change the nature of the latter one whit, save, too probably, in the direction of demoralization. That it will give a most unwholesome stimulus to over-population, already the great difficulty of our humane and peaceful régime, is certain. The thrifty, industrious, and self-denying ryot of Bengal, is already—as Sir Ashloy Eden has shown—in a position to be envied by the peasant of any other country in the world. By unjustly giving him money, or the equivalent of money, which he will feel does not belong to him, you only tempt him to forsake that mode of life by which his present prosperity is assured. Whilst in the case of the unthrifty and the prodigal the boon will be a fatal one indeed. The burdens contracted during the short bout of fancied wealth will weigh upon him long after the sale of his tenure has left him not only without means, *but also without credit*—divested of all legal rights against his new landlord, and virtually in the condition of a serf. Mr. Ilbert's anxiety for the "protection and welfare" of the tenant allows him to respect the laws of political economy in provinces, where Government is virtually the landlord; but those laws are to be relegated to another planet in the province of Bengal, where the zemindars can be made to pay the piper. As Mr. Sub-Judge Bhatta observes, with bitter sarcasm, in his examination of this Bill,—

"If the laws of political economy are to be resisted, to be of any effect they ought to be resisted in their entirety. There ought to be a check upon population by means of stringent marriage laws. There ought to be protection given to native arts and industries. There ought to be organized migration of the surplus population to parts thinly populated. Instead of that the freedom of marriage in the most obnoxious form is allowed as ever. The principles of free trade introduced into the country ruined the artisan classes and threw them upon the land. The last semblance of protection in the shape of a small import duty was taken away at last, and no impetus to export trade in the principal produce of the country was given by

removing the export duty on rice. The demand for increased food to feed an increased population gives no rest to land and exhausts its productive powers. Hence we see the necessary consequences of over-population, viz., the famines, pestilence, the epidemics, the poverty for which the landlords are not in the least responsible, for otherwise why are they more frequent in places where there is no Permanent Settlement? They are often the result of providential visitations, such as successive droughts or inundations. All arguments drawn from famines for putting a check upon free adjustment of rent are, therefore, as it seems to me, inapplicable to the nature of the case. Such checks may impoverish or at least keep in *statu quo* the landlords without any improvement in their condition, but cannot improve the condition of ryots for any length of time. If increase of population is not checked and no new fields for labour and industry are opened, the same difficulties will present themselves in a few years."

And lastly, under the proposed law, not only will the unhappy cultivator of Bengal be left absolutely at the mercy of the middlemen, who have bought the occupancy rights, and who will have neither sympathy with nor interest in him—not only will he be lured to his ruin by a boon which will certainly prove illusory, and which most will regard as immoral—but he will infallibly be overwhelmed by a terrible increase of that which is already a veritable curse to him, the costliness of our cumbrous legal processes. Hear what is the opinion on this point of the venerable Babu Joy Kissen Mookerjee, who is by universal consent one of the most kind-hearted, liberal and enlightened gentlemen in Bengal:—

"No Bengal Rent Bill could have been drafted in such gross ignorance of the history, condition, and circumstances of the people, in such wanton violation of vested rights, and in such utter want of foresight of the practical results of its operation, as the Bill in question. While the great curse of the ryot continues to be the large amount of process and other fees which, by swelling his liability in simple rent suits in many cases to four or five times the amount of arrears of rent, increase the revenues of Government. The practical effect of the Bill will be to increase litigation to an alarming extent, and to place ryots at the mercy of petty-fogging touters and mookhtears."

And this is the Bill, the confiscatory operation of which is to be excused on the ground of the "protection" it will afford to the ryot!

#### ARGUMENTS FOR THE BILL—(3) INIQUITIES OF THE ZEMINDARS.

The amazing article in support of this Bill, which appeared in *The Contemporary Review*, and to which I have already referred, bases its contention largely on the alleged illegal exactions and oppressions of the zemindars. "The ryot," we are told, with a fine generalization,—

"The ryot pays a foe for everything he does himself, and for everything the zemindar does not do for himself or the ryot, and makes the ryot do for him. There is a Bengali proverb, 'The same love that the Mohamedan has to his fowl

(he fattens it in order to kill it), the zemindar has to the ryot.' But the proverb lies, for the zemindar does not even fatten his ryot. 'Who stole the goose from the common? The common man. But who stole the common from the goose? The lord.'"

And so on, through many pages of the most unmitigated slander of a whole class. There are, indeed, one or two grudging sentences of qualification in the course of the article; and in one of these, the writer considerably admits that there are very many zemindars "who "have not pushed their powers of exaction to the *extreme* limit." To us who know Bengal these wild statements only provoke a smile; but it seems to me that a very heavy responsibility rests on the supporters of the Bill, in allowing them to be put about among the ill-informed people of England as arguments for the Bill without contradiction. I need not say that Mr. Ilbert in his "Statement of Objects and Reasons" offers no such arguments. The phrase I have already quoted, about some alleged rackrents and *quasi*-fendal oppression in Behar, is all I can find of this sort. And this is well: for it is only necessary for us to go back to the early history of the very Bill before us, and to the speeches of one of the prime authors of the Bill, Mr. Mackenzie (formerly Secretary to the Government of Bengal, now Secretary to the Government of India in the Home Department), to prove how utterly false are the slanders of those who would support the Bill on this ground.

When Mr. Mackenzie introduced into the Bengal Council the "Rent Bill," which was the present Bill in its embryo form, this is how he described the broad features of the existing law of Landlord and Tenant as embodied in Act X of 1859 and its more recent corollary:—

"In 1859 the legislative pendulum swung quite to the opposite extreme. Summary arrests of defaulters were forbidden. Distraints were so fenced in with difficulties as to become quite impracticable. Zemindars were prohibited from compelling the attendance of their tenants to settle their accounts or pay their rents, and both parties were relegated to formal suits in the Courts, at first in that of the Collector, and since 1869 in that of the Civil Judge. It was the opinion of many competent Judges, even at the time, that this re-action was *too violent*; that sufficient consideration was not given to the difficulties of the zemindar's position; that the character of the ryot, say, for instance, in Backergunge, is not by any means so 'child-like and bland' as to warrant the confidence which the law places, in his anxiety to pay his rent as it falls due. As I explained to the Council before, the difficulties of landlords have become greater year by year, while the pressure put upon them by Government has become heavier, and they stand now urgently in need of assistance from the Legislature."

These are the *ipsissima verba* of Mr. Mackenzie, Lord Ripon's Home Secretary at the present moment. And at an earlier period, in

April, 1877, the Government of Bengal, writing to the Government of India through Mr. Secretary Reynolds, stated :—

“The replies which have been received to the circular in which this Government invited an expression of opinion on the Bill sufficiently shew that under the present procedure the recovery of rent by legal process, even when the arrear is not disputed, is so tedious and costly, as practically, in many cases, to involve a *denial of justice*. If the ryots of a village combine to offer a passive resistance to the landlord by withholding all payment of rent, he can only realize his dues by a suit in the Civil Court against each individual cultivator. It is the object of the ryots to delay a final decision as long as possible, and the procedure of a Civil Suit affords them many facilities for doing so. In the meantime the zemindar, though thus kept out of his own dues, is compelled to pay Government revenue on pain of losing his estate, and, under the pressure thus put upon him, he is sometimes obliged to accede to the demands of the ryots, and to forego claims which he would have been able to establish under a more expeditious legal procedure, or he is forced to borrow money at ruinous rates of interest to enable him to meet the Government demand.”

This is hardly the picture of a zemindar who loves his ryot only as a Mohamedan loves his fowl! And what, seriously, are the *facts* of the case? Of course there are bad zemindars as well as good, just as there are bad ryots as well as good; but surely the truth is not to be found in such sweeping assertions as those of *The Contemporary* reviewer, or even in Mr. Ilbert's mild generalities about “quasi-feudal oppressions.” Those of us who have lived in Bengal, and have watched the relations between the zemindars and their ryots, will, I am sure, agree with what Sir Ashley Eden told the Behar Association—and what the Maharajah of Darhhanagh and every other native nobleman and gentleman of the Viceroy's Council assured Lord Ripon was the case—that, with the spread of enlightenment and liberality among the upper classes, and the greatly increased intelligence of the ryots, the “quasi-feudal oppressions” of which Mr. Ilbert spoke have virtually become things of the past.

Then, too, we are well aware that very many things, that have borne to English eyes the aspect of improper exactions, have been really nothing more than customary arrangements for the mutual convenience of landlord and tenant, perfectly equitable in themselves, and usually recommended by very tangible advantages of simplicity or cheapness. As to *abwabs* and illegal cesses, I am not here to defend them in the slightest degree, nor is such defence any part of the case against the Bengal Tenancy Bill: but this I may say, I am very confident that where any irregular cesses are nowadays submitted to by the ryots of Bengal, those cesses are in reality nothing more than the equitable balance of a rental that would

otherwise he inadequate and be liable to enhancement by a costly process in Court.

Much, too, has been made of an irregular form of distraint, without the necessary legal notice, that was undoubtedly not uncommon in Behar prior to the year 1876. But it must be remembered in the first place, that this irregularity is now fairly obsolete; and in the second place, that it was invariably practised on the estates under Government management, as, for instance (as the Maharajah of Darbhanga informed the Council), on the Darbhanga estates during the period of the minority of the Maharajah. It is all very well to tell the zemindars loftily that the evil example of the British Government affords them no excuse for similar ill-doing; but as a fact we all know that, in a country like India, the sanction of the State is quite sufficient to give to a custom something very like the force of law, and it is simply absurd to suppose that an ordinary zemindar would believe himself to be doing anything very wrong in following a procedure regularly and avowedly adopted on all the Government estates in his neighbourhood.

Of the public spirit, liberality, and philanthropy, that have at all times been displayed by the zemindars as a body, the annals of Bengal bear ample testimony; and for this we need not go further back than to Sir Richard Temple's minute on the famine of 1873-74. As I look back through the history of Bengal during the last eighty years, I find the record of such amazing material improvement of the country by these very same much-abused zemindars, as can hardly be surpassed in the history of the world. At the time of the Permanent Settlement, as we learn from a note of Mr. Pattle, a most distinguished fiscal officer of the East India Company, the country of Bengal was little better than one vast jungle, infested by wild beasts, with cultivation only in patches, and communications dangerous or impracticable. Whose capital is it, I ask, that has cleared and cultivated the land?—that has dug tanks, drained marshes, erected bunds, constructed roads?—that has, in short, not only made the country habitable, but has turned the swampy forest into a smiling rice-plain? And I find these same zemindars always foremost in all good works, whether for education, for famine-relief, or what not. When I was Principal of the Kishnaghur State College, and the Government had been unable to do full justice to that College for want of funds, the zemindars of the Nuddea and neighbouring districts nobly came forward as one man in answer to my appeal, and provided a munificent endowment. The educational foundations of the great Tagore family, of the Maharajahs of Burdwan, Darbhanga,

and Hntwa, and of many other houses, have been on a princely scale. In no country in the world are schools, charitable hospitals, and dispensaries, and similar benevolent institutions, more generously supported by the landowners than in Bengal; and Sir Richard Temple's report bears striking testimony to the magnificent efforts made by these zemindars at the time of the great famine—how they came forward with lakhs and lakhs of rupees for relief works, and for other useful purposes. Every square inch of land that was then required by the State, for the making of roads or the construction of tanks in the course of the famine operations, was freely and gratuitously given. Altogether, I trust it will be admitted that the munificence of the Bengal zemindars in works of benevolence among their tenants, and their educational endowments, are a glorious monument of the public spirit of that community.

THE SOLEMN PLEDGES OF THE BRITISH GOVERNMENT IN THE  
PERMANENT SETTLEMENT.

The last point to which I would direct your attention, in Mr. Ilbert's defence of this most unrighteous Bill, is that wherein he impugns the position of the zemindars at the time of the Permanent Settlement, and throws doubt upon the extent of the rights conferred upon them under that Settlement. I confess that this seems to me the most regrettable part of the whole business. I am not inclined to dispute the inherent right of Government to legislate—even to the extent of confiscation—for what it may consider to be "the protection and welfare" of its subjects. If Lord Ripon's Government has made up its mind to abrogate the Permanent Settlement, either with or without compensation to those who now benefit under that Settlement, the decision should be plainly stated, and the justification for it (if any there be) distinctly shown. But the "Statement of Objects and Reasons" seems to me to exhibit, on this point, a serious struggle between greed and timidity. It professes not to infringe the Permanent Settlement; and yet at the same time endeavours to show that the Permanent Settlement was, after all, only a solemn sham, and that in reality it neither conferred nor confirmed any of those proprietary rights which the Statesmen and Judges of the last ninety years have erroneously supposed to have been assigned by it to the zemindars.

It is universally admitted that the Permanent Settlement was at first exceedingly favourable to the Government, and exceedingly hard on the zemindars; indeed, it is not denied that very nearly every great family in Bengal was ruined by it, and that the bulk of the land



changed hands under its early operations. It seems, therefore, obvious that the Government ought to make out a very strong case indeed against it before tampering with its provisions, now that at last the advantage has gone round to the side of the zemindars from that of the Government. Not that it is to be supposed that, even now, the revenue does not gain from the general prosperity—the freedom from Deccan Ryots Relief Acts and the like—that has resulted from it. On the contrary, I imagine no one could read the famous despatch of the Duke of Argyll on the Road Cess, without feeling convinced that the Government must sooner or later extend, rather than contract, the limits of the Bengal land revenue system.

But what is the view of that system that is taken by Mr. Ilbert and the Government of India?—and wherein does it differ from that which has hitherto been taken, not only by the zemindars themselves, but also, as the Chief Justice of Bengal points out, by all “the legislators, judges, and statesmen who, from time to time, have expounded and enunciated the law since the days of the Permanent Settlement.”

A, a zemindar, has the privilege, under that Settlement, of paying to Government annually a certain amount of revenue, (*x*) in respect of certain property in land (*y*), of which the Permanent Settlement Regulations over and over again call him the “proprietor.” Thus the fourth Section of Regulation I of 1793 is as follows:—

“The Governor-General in Council declares to the zemindars, independent talukdars, and *other actual proprietors* of land, that no alteration will be made in the assessment which they have respectively engaged to pay, but that they and their heirs and lawful successors will be allowed to hold their estates at such assessment *for ever*.”

And Section 7, Clause 2, of the same Regulation is as follows:—

“The Governor-General trusts that the *proprietors of land*, sensible of the benefits conferred upon them by the public assessment being fixed *for ever*, will exert themselves in the cultivation of their lands under the certainty that they will enjoy exclusively the fruit of their own good management and industry. To discharge the revenues at the stipulated periods without delay or evasion, and to conduct themselves with good faith and moderation towards their dependent talukdars and ryots, are duties at all times indispensably required from the proprietors of land, and a strict observance of these duties is now more than ever incumbent upon them, in return for the benefits which they will themselves derive from the orders now issued.”

And again, Section I of Regulation II of 1793 says:—

“Government must divest itself of the power of infringing in its executive capacity the rights and privileges which, as exercising the legislative authority, it

has conferred on the landholders. No power will then exist in the country by which the rights vested in the landholders by the Regulation can be infringed, or the value of landed property affected."

Now Mr. Ilbert tells us, in his speech in Council, that we have all along been using the term "proprietor" in a sense that it ought never to have been used in; and he declares that it means, not "proprietor" at all, as some people vainly think, but "the person whom for purposes of land revenue, and for this purpose only, the Government find it convenient and advisable to treat as owner or proprietor of the land!" Beautiful! I really must ask you to let me read the whole passage. These are Mr. Ilbert's words:—

"In the first place, the term, as applied to land, has no technical meaning in English law, and if you were to ask an English lawyer what were the rights in the soil of proprietor of land he would probably tell you that you were using loose and popular language, and would beg you to make your meaning more precise and clear. In the next place, the term was freely applied to the zemindars of Bengal and other persons of the same class in Regulations and other official documents of a date anterior to 1793, and, therefore, could not possibly be taken as indicating or, to use a technical term, connoting rights created at that date. And, thirdly, the term, though, as I have said, it has no technical meaning in England, has acquired a very definite meaning in the settlement literature of British India. It means, in those parts of India which are not permanently settled, the person who, whatever may be his rights on the soil, has the right of having a settlement made with him, the person, namely, whom for purposes of land revenue, and for this purpose only, the Government find it convenient and advisable to treat as owner or proprietor of the land. Such a recognition, of course, is not inconsistent, and was never supposed to be inconsistent, with the existence of any number of other rights in any number of other persons. All such rights are simply left outstanding. The use of the term proprietor in this sense is closely analogous to the use of similar terms of English statute-law. Here, for instance, is a definition of owner taken from a recent English Act, the Public Health Act, 1875:—'Owner means the person for the time being receiving the rack-rent of the lands or premises in connection with which the word is used, whether on his account or as agent or trustee for any other person, or who would so receive the same if such lands or premises were let at a rack-rent.'"

Of course, after whittling down the "proprietorship" of the unfortunate Bengal zemindar to such extremely shadowy proportions as this, Mr. Ilbert finds no difficulty in hanging about the Permanent Settlement in such a way that the reader begins to wonder why in the world so much fuss has been made about a covenant so impotent and meaningless. He admits indeed that the zemindar *A* is "the person who, whatever may be his rights on the soil, has the right of having a settlement made with him" (*sic*)—that is, *A* has the "right" to pay *x* rupees annually to the Government! And Mr. Ilbert does not

apparently see his way at present to any *direct* increase of the payment  $x$  in respect of the landed property  $p$ . But no difficulty is insoluble to the ingenuity that reads in the word "proprietorship" a "right" to pay; and so Mr. Ilbert promptly discovers that though Government can only take  $x$  rupees annually from  $A$  in respect of  $p$ , it can take away a part of  $p$  from  $A$ , give that part to  $B$ , and then merrily tax  $B$ , while  $A$  still retains his "right" to be taxed to the full extent of  $x$ !

The ingenuity here displayed is a fitting sequel of that which, twelve years ago, discovered that, though the Permanent Settlement prohibited the imposition of new *taxes* on the land, it did not prohibit the imposition of *cesses*, such as a Road Cess and a Public Works Cess! And it may be worth while here to quote two or three of the recorded opinions of members of the Indian Council on that former very questionable proceeding:—

SIR ERSKINE PERRY said:—"The language and acts of Lord Cornwallis and the Government of the day were so distinct, solemn, and unambiguous, that it would be a direct violation of British faith to impose special taxes in the manner proposed."

SIR FREDERICK HALLIDAY said:—"To affirm that the right to impose these taxes, in the face of the promises of the Permanent Settlement, had already been ruled and decided in the case of the income tax, is as much as to say that, because in 1860 a general tax was temporarily imposed affecting all classes, therefore a special tax may now be permanently levied on one class only, although that class has been solemnly assured that no new tax and arbitrary exaction shall ever be laid upon it."

MR. H. T. PRINSEP said:—"The policy inaugurated and the measure sanctioned will shake the confidence hitherto felt in the honesty and good faith of the Government."

MR. R. D. MANOLES said: "We have no standing-ground in India except brute force, if we forfeit our character for truth."

SIR FREDERICK CURRIE said: "The plea that territorial obligations cannot be made by the Imperial revenue is a cogent reason for retrenchment and economy; but it cannot justify our laying a special tax on the zemindars of Bengal, to do which would be a breach of faith and the violation of the statutory engagement made at the Permanent Settlement."

Mr. Ilbert's delicate refinements about the exact force of the term "proprietor" have naturally been improved upon by his zealous supporters; until at last we find, in *The Contemporary Review* article, to which I have already referred, the very broad and honest statement:—

"The zemindars were not originally proprietors or landlords; and it may be shown beyond contradiction that they were not made so by the Permanent Settlement in the sense of absolute owners of the soil."

And other writers—doubtless misled by the fact that during the periods when the revenues of Bengal were farmed, the great landholders were properly and wisely chosen for the office of revenue farmer—have grown to speak of the ancient position of the zemindar as if it were historically recognized as that of a mere publican or tax-gatherer.

Now, apart from any possible quibbling about the legal force of the words “absolute owners,” a very few sentences from the *dicta* of the highest possible contemporaneous authorities will be sufficient to expose the hollowness of all this verbal trickery. Seventeen years before the date of the Permanent Settlement, Mr. Francis, afterwards Sir Philip Francis, wrote in 1776:—

“The inheritable quality of the lands is alone sufficient to prove that they are the property of the zemindars, talukdars, and others, to whom they have descended by a long course of inheritance. The right of the Sovereign is founded on conquest, by which he succeeds only to the State of the conquered Prince; unless, in the first instance, he resolves to appropriate and transfer all private property, by an act of power, in virtue of his conquest. So barbarous an idea is equally inconsistent with the manners and policy of the British nation. When the Moguls conquered Bengal, there is no mention, in any historical account, that they dispossessed the zemindars of this land, though it is frequently observed that where they voluntarily came in and submitted to the new Government, they were received with marks of honour, and that means were used to gain and secure their attachment.”

This was what was understood by “proprietaryship” in the time of Warren Hastings, before the English language had arrived at that perfection of subtlety which we observe in Mr. Herbert’s speech. We can hardly feel surprised if the Maharajahs of Behar, in the very clear and straightforward exposition of their case which they have sent to England to be presented to Parliament, indignantly brush aside all these unworthy sophistries to which I have alluded:—

“It is not the intention of your Petitioners to enter into a long and fruitless discussion as to the original status of ‘the zemindars of the country.’ When the British Government assumed the direct administration of Bengal and Behar in 1772, they at any rate found the zemindars in possession of large estates and exercising the ordinary rights of proprietors. Some of the Rajahs of Behar date their origin from times anterior to the conquest of Bengal by the Mohamedans, while others have received proprietary grants and titles of honour from the Emperor Akbar, who was a contemporary of Queen Elizabeth. During the long period of Mohamedan domination, their rights as proprietors were never questioned, and the fact that in Behar the land is mainly held by Hindoo proprietors shows how little the Mohamedans interfered with the vested rights of the people. Nor did the British Government, on succeeding to the administration of the country, make any change in the system or policy of their Mohamedan predecessors. The system was this:—The Government claimed, as a ruling power, a certain proportion of the produce of every beeghe of land in the country. This proportion, whether paid in kind or estimated in money, was collected by the zemindars from the cultivators. It was

the duty of the zemindar to pay into the treasury the amount assessed on his zemindary as the Government share of the produce: but subject to the payment of this amount, he exercised full proprietary rights over the tenantry. All that he collected from the ryots over and above the Government assessment was his own. The charge of the police and the administration of justice were in his hands, and there were no local tribunals to which the ryots could appeal for redress, if they desired to question the justice of his demands."

What was the opinion of Mr. Shore (afterwards Lord Teignmouth) at the time of the arrangement of the Permanent Settlement, which was so largely his work, though he disapproved of many of its details? These are his recorded words:—

"I consider the zemindars as the proprietors of the soil, to the property of which they succeed by the right of inheritance, according to the laws of their own religion; and that the sovereign authority cannot justly exercise the power of depriving them of the succession, nor of altering it when there are any legal heirs. The privilege of disposing of the land by sale or mortgage is derived from this fundamental right, and was exercised by the zemindars before we acquired the Diwani."

Next, I will give an extract from the Minute of Lord Cornwallis himself, dated the 18th September, 1789. He says:—

"Mr. Shore has most ably, and, in my opinion, most successfully, in his Minute delivered in June last, argued in favour of the rights of zemindars to the property of the soil. But, if the value of permanency is to be withdrawn from the settlement now in agitation, of what avail will the power of his arguments be to the zemindars for whose rights he has contended?"

Again, his Lordship writes:—

"Altogether, however, I am not only of opinion that the zemindars have the best right, but from being persuaded that nothing could be so ruinous to the public interest as that the land should be retained the property of Government, I am also convinced that, failing the claim of right of the zemindars, it would be necessary for the public good to grant a right of property in the soil to them, or to persons of other descriptions. I think it unnecessary to enter into any discussion of the grounds upon which their right appears to be founded."

So much for the views of the authors of the Permanent Settlement as to its pledges, and the rights conferred, or rather confirmed by it. They charmingly illustrate that "smartest" of all Mr. Ilbert's "smart" arguments that, because the zemindars were "proprietors" before the Permanent Settlement, therefore that Settlement could not have created proprietary rights!

And lastly, how have these pledges been construed by those high judicial authorities who have subsequently had to interpret the law in regard to them? Do they follow Sir Phillip Francis, Lord Cornwallis, and Mr. Shore? or do they incline to the novel views about proprietorship that find favour with Mr. Ilbert and the Government of India? I need only quote one such interpretation, that of Lord Lyndhurst, for his authority is so weighty, and his words are so clear,

that they seem to me to settle the question. That learned Judge, as reported in "Moore's Indian Appeals," vol. i, p. 348, says :—

"It is to be gleaned from these Regulations that the proprietors of lands in India had an absolute ownership and dominion of the soil, that the soil was not vested generally in the Sovereign, that proprietors did not hold it at the will of the Sovereign, but held the property as their own. " " " I think it is impossible to read those articles without coming to the conclusion that the zemindars and talukdars were owners of the soil, subject only to a tribute, and that it was the object of the Regulation to make that tribute fixed and permanent."

#### CONCLUSION.

I venture to think these quotations are sufficient to show how solemn were the pledges made by the British Government ninety years ago to the zemindars of Bengal; and further, to show that those pledges have always been understood by the greatest English statesmen and judges in the sense assigned to them by those to whom they were made—in the sense, that is to say, which plain Englishmen would certainly assign to the plain English in which they were written—and *not* in a sense which would understand the word "proprietor" to imply no other right than that of paying the Government revenue demand. It is entirely unnecessary for me, or for those who join me in denouncing this Bill, to insist on the absolute finality of the beneficent legislation in which those pledges were embodied. But I claim to have shown that, rightly or wrongly, wisely or unwisely, the British Government, in the time of Lord Cornwallis, *did* make the most extraordinarily solemn promises to the landowners of Bengal, *did* believe that those promises would be held binding on us (in the very words of the Regulations) "for ever," and *did* persuade those zemindars to trust in the "permanence" of this settlement. I have shown you what the statesmen of the time, such as Lord Cornwallis himself and Sir John Shore, understood by the term "proprietor," which they used so freely: I have shown you how entirely the judges, who have had to interpret the law, such as Lord Lyndhurst, Sir Barnes Peacock, and Sir Richard Garth, have confirmed the original interpretation of the authors of the law; and I have quoted to you Mr. Ilbert's own words, that you may judge how divergent the opinions of the present Government of India are from those of the statesmen and legislators who have preceded them. Next, I have mentioned the chief points to which we make objection in the proposed Bill; and I ask you to say whether an arrangement that deprives the landowners of all effective control over the land that is nominally theirs—an arrangement that leaves them all the responsibility towards the Government, whilst it throws insuperable difficulties in the way of their choosing good

tenants (or even of refusing hostile tenants), of securing adequate rents, of obtaining prompt payment, of getting deliverance from turbulent or dishonest tenants—I ask you to say whether such an arrangement as this is not an outrageous violation of all those pledges on the faith of which land in Bengal has been bought and sold, has been dealt with by the Legislature, and been adjudicated upon by the Courts, for the last ninety years?

But the wanton injury done to the landlords, whose “rights,” “whose social position, nay, whose very means of living are at stake,” as the Maharajah Sir Jotendro Mohan Tagore plainly declared at a late meeting of the British Indian Association—the political and social suppression, not only of what remains of the ancient landed aristocracy, but also of that loyal aristocracy of younger growth, that has struck its roots deep into the land under the protection (hitherto faithfully accorded) of our own beneficent rule—the transformation of the whole body of trustworthy, responsible, public-spirited and benevolent landlords into a community of disappointed, betrayed, and disaffected men—these are not the worst effects that will follow from this Bill becoming law. I am not sure, even, whether the deadly blow this legislation will strike at “the confidence hitherto felt in the honesty” and good faith of the Government,” will be the worst part of this bad business; though I am sure we shall all agree with the sentiments on this head, which I have quoted from the minutes of Sir Erskine Perry, Mr. Prinsep, Mr. Mangles, and other great authorities. But what remains, after all this injury and wrong has been done? I claim to have shown that, in all human probability, you will have effaced the present land-system in Bengal, to give the soil and its cultivators over as a prey to money-lenders and land-jobbers, who will rack-rent their under-tenants on purely commercial principles. And I claim to have shown that the result of all this must be to degrade the peasantry, now fairly and progressively prosperous, to a condition hardly better than serfdom, deprived of all the rights they are now thriving on, and ground down under the worst of all oppression, the irresponsible will of grasping and unsympathetic upstarts.

The Noble CHAIRMAN said: Ladies and Gentlemen,—The paper which Mr. Lethbridge has read to you, is so exhaustive, and goes into so many details that, agreeing with it entirely as I do, it leaves me very little to say, and in great difficulty to avoid repeating what he has already so well said to you. The motive popularly assigned in this country for introducing the Bengal Tenancy Bill, that it is needed on account of the miseries of the ryots, is not put forward by

the Indian Government, and could not well be alleged by them in the face of official statements recently made as to the improvement and prosperity of the districts to be affected by this Bill. Mr. Allardyce (who is quite familiar with this subject, and whose absence to-day is to be regretted) confirms those official statements in his vivid pictures of Bengal village life; in his *City of Sunshine* everybody is prosperous except those who had dealings with Rutton Pal, the spirit-seller, and Tin Cowry, the money-lender. There is a fallacy underlying most of the arguments used in support of this Bill, which dates from the last century, and which is now revived for the very purpose for which it was originated. It is this, that the zemindars were not landholders in our sense, but simply Government collectors, and that Lord Cornwallis by the Perpetual Settlement converted them into landowners. Now, if that is the case, how is it that they are called *zemindars* at all? *Zemindar* is a Persian word which is the exact equivalent of our word *landholder*, and surely it would not have been the term in use if the people so designated had only been Government tax-collectors. Mr. Francis's Minute of November 5, 1776, entered on the Bengal Revenue Consultations, and the Minute of April 2, 1788, of Mr. Shero, sufficiently disprove the allegation that the zemindars were not hereditary landowners. There is no more truth in calling the Bengal zemindars tax-collectors than there would be in so naming the owners of large estates in this country if they were in the habit of paying the income-tax of their tenants along with their own to the Government officers. But this is after all immaterial, since the old zemindars of the time of the Permanent Settlement have all been ruined and their estates have all been acquired by purchase on the faith of the Settlements, and the Government Regulations, by the present holders of the zemindaries. The very exaggerated statements that have been made as to the wealth of these zemindars have already been referred to in the paper read to the meeting. *The Hindu Patriot*, which quotes them, has taken them from Mr. Grote's tables of the zemindars, and also from income-tax returns, so that they may be relied upon as correct. Another misapprehension has arisen from the habit of those who seek to undermine the Perpetual Settlement, of fathering that Act entirely on Lord Cornwallis, whilst accusing him of ignorance and blundering. It is now known from the Cornwallis Correspondence that this measure, though supported by Lord Cornwallis, originated with the Board of Control, and that Mr. Henry Dundas induced Mr. Pitt to become his partner in the final consideration of this important measure; and as he wrote to Lord Cornwallis—"He accordingly



“agreed to shnt himself up with me for ten days at Wimbledon and attend to that business only. Charles Grant stayed with us a great part of the time. After a most minnte and attentive consideration of the whole snbject, I had the satisfaction to find Mr. Pitt entirely of the same opinion with us.” That extract is from *Ross's Cornwallis Correspondence*. The effects of this Bill will be equally disastrous to zemindars and ryots. Whilst (as by the Irish dealings of the Government) the ryots will be encouraged to be dilatory in their payments, the old law requiring the zemindar to make his payments to Government by sunset of a certain day, or else forfeit his property, is not modified. In Ireland, where certain payments have to be made to the Government, the Government contents itself with 4 per cent. interest on any payment during the time it is delayed. They might have extended some such mercy to the zemindars. There is, however, no modification of this old law, although as regards the Central Provinces, for which a Tenancy Act was recently passed, a resolution has been adopted by Lord Ripon's Government for the suspension and remission of the revenue in bad seasons. If this is to be adopted all over India, why is there not some mention of this in the Bengal Tenancy Bill? The ryots, having a property unexpectedly given them to sell, will most likely sell it either to the indigo-plantors or to the spirit dealers, whose increase Mr. Cross contemplated with apparent satisfaction in his last Budget Speech. If so, the ryots will become coolies and cease to be peasants. Now as to the objects of this Bill. As the law of this country lays down that a man is held to intend whatever are the opinions of his act, it may be said that the framers of this Tenancy Bill intend by it to get round and upset the Perpetual Settlement, and to add a postscript to Mr. Seymour Keay's article in *The Nineteenth Century*. With reference to the article Mr. Cross used most ill-omened words in his last Budget Speech. Without adopting the old fallacy of misnaming the land-tax rent, he said that the peoplo of India were very lightly taxed, because the revenue of India was derived from the rent of the lands of which the Government had become the owner. This evidently refers to those lands where there is no owner, and from which the Government levies both the land tax and the rent which ought to belong to some owner. But how has the Government become the owner of these lands? In some cases, such as Palconda, the Government has become the owner of 75,000 rupees a year, the property of the zemindar, in addition to 55,000, the annnal tax upon that property, by the process of putting the zemindar into a dnngeon. In other cases the zemindars may have been got rid of more snmmarily. No other Government in Asia or in

Europe, when confiscating property for real or supposed political offences, ever appropriated the confiscated property to itself, such property was always granted to some other person who would live upon it and spend its produce for the benefit of the neighbourhood. It is feared with good reason that this Bill will deprive all the zemindars of their property by legal processes, and leave the Government as surviving landlord. In Section 41 of Mr. Ilbert's "Objects and Reasons," he contemplates the possibility of the occupancy-ryots losing what this Bill will make their property, and adds that if such a state of things should ever arise, the Government of the day will know how to deal with it. Is not this mode of legislation too like the practice attributed to plumbers of doing faulty work so as to ensure to themselves future employment, or is it to be taken as an intimation that when the occupancy-ryots have lost their land the Government will step in between them and the indigo-planters? Not the least of the objections to this Bill is the fact that little opportunity has been given for its discussion in India, and that it was published so late that the petitions against it would only reach Parliament at the far end of the session, when there was no time left for calling attention to them in either House of Parliament, and they would only be formally presented. In short, the Tenancy Bill has been smuggled in and seems likely to pass unobserved under the cloud of dust raised about the Criminal Procedure Bill. It might be asked, are there any Machiavellis in the subordinate offices of the Government in India? Some people say that the Calcutta Foreign Office swarms with them. Is it not a Machiavellian proceeding to blind the eyes of the Bengalees by putting forward the Ilbert Bill and at the same time in disposing the minds of the Anglo-Indians against their native fellow-subjects, and making them indifferent to what passes—making them think of nothing but what is called "the Ilbert Bill," when perhaps this Tenancy Bill we are now discussing is the real Ilbert Bill. (Cheers.) In any case it seems most unfortunate for Mr. Ilbert that he should have been mixed up with two Bills either of which is unpopular with one or other sections of the community. (Cheers.)

The following letter was read from Mr. C. T. BUCKLAND, late of the Bengal Civil Service, and until recently at the head of the Revenue administration of Bengal as Member of the Board of Revenue:—

I regret that illness prevents me from attending the meeting at St. James's Hall to-morrow. As a member of the Calcutta Board of

Revenue, I have watched the Rent Bill in its several stages, and believe that in its present shape it is most unjust and injurious to the zemindars of Bengal. I agree with those who hold that if there had been no Perpetual Settlement in Bengal, the British Government would not now exist in India. I know that the zemindars, as a class, have behaved well to their ryots; and the ryots, generally, bear no ill-will to their zemindars. And I would warn the Government that if they persist in carrying a measure which is calculated to break down the Perpetual Settlement, they will fail to collect the revenue of Bengal under any system of direct or *Khas* management, without endless oppression and harassments to their ryots.

Mr. W. TAYLER, late Commissioner of Patna, also detained by illness, wrote: I regard the proposed revolution as fraught with mischief.

Mr. C. W. ARATHOON: My Lord, Ladies and Gentlemen,—The remarks I had intended to make have been to some extent forestalled by the speech of our Noble Chairman. I knew some native gentlemen who would have been present at the meeting to oppose the Bengal Tenancy Bill, but who have been prevented from coming forward by the sop they have received in the shape of the Ilbert Bill. (Hear, hear.) On the other hand, I have no doubt several European gentlemen who would otherwise have been in favour of the zemindars, have turned against them because the zemindars have taken the part of their native brethren in supporting the Ilbert Bill. (Hear, hear.) Whether the Ilbert Bill passes or not, I trust that this measure, which has been called by a learned Chief Justice a most revolutionary measure, will be prevented from passing. (Hear, hear.) I submit that one great evil of this measure will be the blighted faith in the Government. For the future its bonds will not be considered worth the paper upon which they are written,—its promises as made only to be broken. Mr. Justice Stephen, who now adorns the English Bench, has used these words, which are very appropriate, “Whatever else the people of a country may feel about their rulers, they should feel perfect confidence in their good faith and in the scrupulous observance of their promises.” Has not the good faith of the English Government been broken by the introduction of this Bill? The Lieut.-Governor (Sir George Campbell) did not carry out the promises which had been repeated by successive Lieut.-Governors, that he made to the zemindars when they actually undertook the burden of the Road Cess and Public Works Cess

Collections. That promise was most solemnly made, and the zemindars have been repeatedly told that it would be fulfilled. In place of that, instead of facilities being given for the recovery of rent, the very law of distraint has been virtually abolished. I ask you to consider the words of the Rajah Shiva Pershad, addressed to the Council, which were very ominous. He said, "If the Bill passes, it will shake the faith and confidence of the people, not only of British India, but of all the foreign States in the Government, to its foundations." A leading paper in India, *The Englishman*, referring to this Bill said:—"We have no hesitation in saying that the course on which the Government appears to be bent in this matter is one which must prove utterly destructive of the confidence in its good faith which has hitherto proved one of the surest bulwarks of its power, and that therefore whatever its immediate effect on that power may be, its ultimate effect must be, in the highest degree, prejudicial. If the Government thinks that by thus aggrandizing the peasantry of the country at the cost of the aristocracy, it is raising up for itself a source of strength that will more than counterbalance its forfeiture of the goodwill of the class it proposes to sacrifice, we can only say that it is leaning upon what the uniform teachings of Indian history show to be a rotten reed. The feeling of allegiance to the great zemindars,—many of them representatives of ancient royal houses, is deeply rooted in the hearts of the people of the country, and no attempt of a foreign Government to eradicate it, by stirring up antagonism between the two classes, will have more than a temporary effect. The policy of the Government is the policy of men who are not only willing to sacrifice justice and faith for the sake of an idea, but who are absolutely ignorant of the real feelings of the people they have been called upon to govern." *The Indian Mirror*, which is known to be certainly not a Conservative journal, says as to the Bill: "Whether the proposed law as it stands does or does not injure the zemindars, it certainly will not be quite satisfactory to the ryots. The consequence will be, that while a White mutiny is raging over the Jurisdiction Bill, the Government by hurried and perfunctory legislation on such an important question as that of rent, may be recklessly provoking a Black mutiny." I hope the time for a Black mutiny may never come. I am very glad of this opportunity of bearing testimony to the high qualities of that noble class, the zemindars of Bengal. (Cheers.) Everybody has heard of the munificent gifts of the zemindars. You have heard of the gifts of the Maharajah of Darhhangah, the Nawab Ahasanwolla

Khan Bahadoor, the Maharajah of Burdwan, and the Rani Surnameryee, and others. One speaker in the Council has pointed out a number of other zemindars, who have given small sums, as they are called, of 50,000 and 60,000 rupees. It is well known that during the famine the zemindars were ever ready with open hands. They have come to the help of the Government by offering their lands for the digging of tanks and so forth, absolutely refusing to take any money for such land. Then, again, scholarships have been endowed at different Colleges by the zemindars. Everybody, for instance, has heard of the munificent gift of a scholarship by the late Hon. Prasanna Kumar Tagore. (Hear, hear.) I call the attention of the meeting to a passage from the prayer of the petition to Parliament of the zemindars of Behar: "Your petitioners would further respectfully say that they "have done nothing to deserve such treatment at the hands of the "Government. They have always been conspicuously loyal to the "British crown. During the time of difficulty at the beginning of the "century, and during the more troublous days of 1857, the zemindars "of Bengal and Behar placed themselves, their influence and their "wealth, ungrudgingly at the disposal of the Government. But if "this wealth and this influence are destroyed, to what class of the "community will the Government in future look for support? If the "zemindars, whose welfare has always been bound up with the "British Government, are sacrificed to visionary theories, which class "of the community will be able in future to repose with confidence on "what has up to the present day been inviolable,—the honour and "good faith of the British Government?" The East India Association itself owes its very existence to the zemindars of India; it owes its foundation to gifts made by Indian landholders and princes. I am glad to be able to take this opportunity of testifying in favour of the zemindars, and it gives me the mere pleasure because in doing so I am not speaking against the poor cultivators and tillers of the soil in India, for it is the very essence of my argument,—it is the very essence of the opposition,—that this Bill will not do a jot of good to the poor cultivators of India. (Hear, hear.) It will place the land in the hands of land-grabbers and money-lenders, and, it may be, of certain small indigo-planters who are always ready to grab at land if possible. The able lecturer has put before the meeting the words of Mr. Ilbert himself. Mr. Ilbert spoke as if he were not sure of the ground he was treading on. On that point I may perhaps read an extract from the speech of the Maharajah Sir Jetendra Mohun Tagore Bahadur at the annual meeting of the British India Association last year: "The actual cultivators hardly gain much under the present

"Bill, but it is the *jotedars* and middlemen who will be most benefited, or in other words, a class of small landowners is to be raised in the room of the large zemindars." In a speech before the Governor-General's Legislative Council the Maharajah of Darbhanga referred to the subject of occupancy tenures in Behar, and said, "The zemindars as a body are not averse to the cultivators acquiring this right. It gives the ryots a permanent interest in their lands. But the Bill does not create this right in favour of the actual cultivators. On the other hand it distinctly says that the sub-lessees, who after all are the actual cultivators of the soil, are not to acquire rights of occupancy. The actual cultivator is not to acquire the right unless he happens to pay in his rent direct to the zemindars, and he is to be perfectly at the mercy of his middleman. This seems to me to be perfectly anomalous, and it would be a better proposal that a ryot who is not an actual cultivator should not be allowed to acquire right of occupancy. Unless some such provision is made we are bound to create a set of occupancy tenants who are not the actual cultivators but middlemen, and these middlemen would be in a far better position to oppress the cultivator than the much-abused zemindars." On this point also may be quoted an extract from the Minutes of Sir Richard Garth, the learned Chief Justice of Bengal: "If the lot of the ryot is a hard one now, it will be a still harder one if Mr. Reynolds's Bill should pass into law." I am pleased to hear what has fallen from the noble Chairman. Lord Stanley has before now been described as the unflinching enemy of injustice—(cheers)—and his remarks to-day have confirmed that view; for if injustice has ever been committed in the British name, it is committed by this Bill. It is patent on the face of it, so that those who run may read. Is it justice to make a Bill retrospective in its effect upon one class and not retrospective in its effect upon another class? The provisions as to the rights of occupancy are to take effect against landlords, notwithstanding any contract to the contrary which may exist at the time the Bill becomes law; the enhancement clauses are not to be retrospective. Is it justice to do away with freedom of contract, and that after recently codifying the law of contract and of specific relief? It would be unjust enough to do away altogether with freedom of contract; but here there is an exception made. The ryot is free to contract, except where he deals directly with the zemindar, then he is treated entirely as an imbecile. Is it justice to give a tenant an occupancy-right over a large portion of land—say 500 *bighas*—which he has held it may be for months only, if the ryot has held a small

portion of land—say only one *bigha*—for twelve years on the same estate? Is that justice? (“No!”) Again, for the Government to exclude itself from the operation of the Bill as to the mode of realizing its rents? Why should not the rights of the Government be subject to this Bill as much as the rights of the zemindars if the Bill is a just measure? On what principle should land belonging to a zemindar be subject to one law, and land which is in the hands of a Court of Wards, for a minor zemindar, be subject to a different law? (Hear, hear.) It really seems that it would be wise for the zemindar to feign insanity, or, if he could, remain a minor all the days of his life, so as to have his property vested in the Court of Wards. (Hear, hear.) I object to this Bill because it does away with the right of the zemindar to choose his own tenant; because the right of pre-emption, which it pretends to confer, is a sham, inasmuch as the zemindar himself cannot keep the land he buys, although a stranger can; because the zemindar, instead of being a proprietor, is constituted a one-fifth stake-holder or co-partner in the ownership of his land. If there have existed in the past those causes of complaint against which the Bill is aimed, they have now ceased to exist. There has been a time when landlords as a class may be said to have been oppressive, but so far, at least as regards Bengal Proper, those days have gone by, and since the indigo disturbance, in the words of the poet, “the hydra-headed monster” has been roused and the tables completely turned. The right of the Indian Government as one party to a contract to divest vested rights I challenged in my last address on the subject. Since then I have read articles in the leading Indian papers expressing the same view in better and clearer language. I deny the existence of any real emergency which could alone afford any excuse for this Bill. The Hon. Kristo Das Pall told the Legislative Council “that there had not been the faintest echo from the ryots in any part of the country to the cry raised by the Government that there should be a general revision of the substantive law;” and that was confirmed by the Chief Justice, who said in his Minute that this Bill was “not for the purpose of meeting any actual complaints or rectifying any proved abuses.” If any gentleman desires proof that the state of things which is pointed to as giving ground for this measure does not now exist, I need only refer to the more recent Administrative Reports for the Bengal Province to see how the state of the country has improved. In 1793 Mr. James Pattle, before his retirement from the service of the East India Company, gave a striking picture of the uncultivated and desolate state of the country at that time; but in 1853 a writer whom Sir John Kaye describes as one of the ablest men then in India, declared that

great improvement had taken place, and said that "it is high time that the outcry about the extreme unhappiness of the Bengal ryot should cease." That was in 1853, and the state of things to-day is infinitely better than then. The Indian Government have not taken the pains to ascertain what alteration, if any, of the law, is really demanded. Certainly there was the Bengal Rent Commission appointed; but, as one of the native members told the Legislative Council, that Commission "made no statistical enquiries; they made no local enquiries; they sat in their own chambers; they called for official reports; and from the depth of their own consciousness they evolved their theories and propositions." (Hear, hear.) The *Indian Mirror* had the following comments on the laxity of the Government in that respect: "We must confess to some surprise that while a Commission was sent about every Presidency and Province of the Empire to ascertain the wishes of the people through representative bodies of gentlemen in regard to a national system of education, no similar course was taken to make the Government thoroughly acquainted with the feelings and the wishes of the two most important classes whose respective rights and interests on the tenderest point of their nature were proposed to be finally settled in the Bengal Rent Bill. It is true that the official Members of the Council are supposed, from their position, to hold briefs for the ryots, but it is not difficult to understand what is likely to be the result of their advocacy when they will be groping in the dark as to the actual merits of their client's case." Some provisions of a highly objectionable character have been introduced into the Bill, which have not even been recommended by the Rent Commission. Referring to these the zemindars in their petition against the Bill state: "The importation of foreign ideas in the regulation of the ordinary relation of life in an Oriental country, for which the people are not ripe, can only lead to harm. Never in this country, or at present within the British territories or in the Native States, is the practice of paying compensation to a tenant-at-will for relinquishment of his holding known or recognized." And, lastly, I may be permitted to allude to the Permanent Settlement which, as Lord Stanley has told you, was sanctioned after due consideration by men like Pitt and Dundas. By that measure, so solemnly entered into, the Government transferred its proprietary right to the zemindars. The transfer was made for valuable considerations on both sides: (a) The Government was to receive for ever 10-11ths as revenue, and this whether the land suffered from inundation, drought, or famine. (b) That amount was to be paid in before sunset of a day named; otherwise the zemindar's



proprietary right was put up for auction sale. (c) The zemindar had to clear jungle lands; (d) to be stannch to the Government; (e) they could transfer their right and resume lands; (f) accretions of property were made additions; (g) *phalker bunker* and *jalkar* of their lands belonged to them; (h) they could smmmon and compel the attendance of their tenants and arrest them if necessary for the realization of their rents, or sell their tenancy. (i) In 1822 they were expressly declared entitled to eject all ryots (except resident hereditary ryots). (j) They were called proprietors, their right was called proprietary right. They were said to have property in the soil and they were told to exert themselves in the cultivation of their lands "under the certainty that they will enjoy exclusively the fruits of their own good mauagement and "industry," the only reservation in favour of the ryots heing power to enact laws whenever proper "for protection and welfare of dependent "talookdars and ryots." In the very valuable paper to which the meeting has just listened were given the opinions of the men of the time, and since that time, until Mr. Herbert comes on the scene, as to the rights the zemindars acquired nuder this solemn compact. You have heard the opinions of Lord Cornwallis, Sir John Shore, Sir Erskine Perry, Sir Frederick Halliday, Mr. H. T. Prinsop, Mr. R. D. Mangles, Sir Frederick Currie, of Lord Lyndhnrst, Sir Barnes Peacock, and the present Chief Justice of Bengal. And to these may be added, I think, the names of Mr. Harrington and of Mr. Holt Mackenzie, then Secretary to the Government of India, who, on the 22nd April, 1819, wrote as follows:—"But it is the firm dotermination of Government "to maintain inviolate the rights and privileges bestowed on the "zemindars by the Settlements, notwithstanding any errors or abuses "that may now be discovered to have been practised, and although "the profits of anyone from his estates should be many lakhs and his "jama only a few rupees, yet Government will on no pretence break "its agreements." I have said enough to show that this solemn compact is now being vivisected, that the zemindary system is heing utterly destroyed, that there will be in the near future no landed aristocracy left in Bengal to be of use to the British Government in time of need, and that this measure is destroying the aristocracy of Bengal, though only a few years ago the British Government maintained the aristocracy of Oudh. I trust that before it is too late the voice of England will avert this catastrophe; and I will conclude by reading a Minute of Lord Cornwallis, dated 10th February, 1790: "In case of a foreign invasion it is of the last importance, considering "the means by which we keep possession of this country, that the

"proprietors of the land should be attached to us from motives of "self-interest." (Hear, hear.)

Mr. DONALD N. REID : My Lord, Ladies, and Gentlemen,—Mr. Roper Lethbridge is only known to us in India as an eminent literary gentleman—a Press Commissioner, one of "Ali Baba's" C. I. E.'s, and therefore it is difficult for me to understand what practical knowledge he can bring to bear on the subject which he has just discussed. It is a common fallacy to suppose that anyone can take up a subject connected with agriculture, or the land and master it in the same way that he would the contents of a novel or book of light literature; and it is this utter contempt for the experience and knowledge required in the management of agricultural affairs that has brought about such disastrous results in many of our Indian famines. To-day, in the same spirit, an utter stranger to the management of land in India, and to the habits and resources of the Indian peasantry, has stood up and delivered a lecture on what he is pleased to call "The Mischiefs Threatened by the Bengal Tenancy Bill," condemning in a few idle words the work arrived at during a course of many years by four successive Lieutenant-Governors and their most experienced district-officers. The very audacity of the speaker would be laughable if the question involved was not a most serious one, affecting the welfare of sixty million souls. I therefore trust, my Lord, that in the name of charity and for the honour of the British name the subject will not be made a party question in this country, but that Conservatives and Liberals will combine to strengthen the hands of Indian officials in the matter, resting assured that the landlords' interest will receive the same attention from the Legislature as that of the ryot. It is a question which can only be settled on its merits by those on the spot who have practical knowledge of the subject. The principal arguments brought forward by the opponents of the Bill are the three following: (1) That the effect of the Bill is simply to deprive the zemindars of their proprietary rights and to render them mere cyphers on their estates. (2) That to make occupancy tenures transferable will injure the landlords without benefitting the cultivators, and that the persons who will buy up these occupancy-rights will undoubtedly be money-lenders and indigo-planters. The *mahajuns* or money-lenders will not cultivate themselves, but will sub-let to an inferior class of ryots, who will be mere tenants-at-will, with no rights of occupancy. The consequence will be that in a few years the settled ryot will have disappeared, and the land will be held by non-cultivating *mahajuns*, and the ryots under them, who will be the real

cultivators, will have no right at all. (3) The provisions as to sub-letting will conduce to bring about the same results. Now all these arguments can be very easily answered in a satisfactory manner. (1) The landlords holding large estates have, as a matter of fact, always been cypbers, and the small landlords have always been engines of oppression on their estates. And I challenge anyone to disprove this statement. The twenty-second paragraph of the Indian Famine Commission Report is in itself almost complete proof of what I state, as it shows that the universal custom of the province is for the landlord to make over his rights in the villages of his estate to contractors for short terms of years; and I remember the day when the landlord's rights in the villages of the large Bettiah Rāj Estates were actually put up to the highest bidder—I myself being one of the bidders. I think these facts should dispose of the first objection. (2) In making occupancy-rights transferable in the Bill it is intended to improve a custom which already exists on a large scale in many parts of the province where the cultivators were strong enough and energetic enough to assert their rights. It is not intended by Government that these tenures should be bought up as a speculation, as it will be necessary to prohibit the purchaser re-letting them at enhanced rates. Every transaction will be registered, and if a purchaser has bought a ryot's occupancy-right with the object of re-letting it, it will be insisted on that he does so at the old rate, allowing the incoming tenant to enter with occupancy-rights. Care will be taken by the Government that neither the money-lender nor the indigo-planter encroaches upon the cultivating ryot's rights in this respect. I am an indigo-planter myself, and it is my intention, and the intention of every planter of my way of thinking, that the ryot shall reap to the full the benefit of every English penny sent into Behar, and we are quite prepared to submit to any change in the law which will prevent us acquiring new land so long as it benefits the ryot. Let there be no doubt on this point. It will be very necessary to insist that the fields of a holding which has been bought or sold up should be let at the old rates, for unless this is done the lands would go by competition at an exorbitant rental. The last census returns show that there has been a surprising increase in the population of Bohar within ten years—amounting to 18½ per cent. in Chumparun, 15½ per cent. in Mozufferpore, and 9½ per cent. in the thickly populated district of Sarun, where the average is 814 persons to the square mile. It would, therefore, be little short of criminal for Government to continue to allow holdings to go at competition rents in those districts. But I say as plainly as I can, that it has been the custom

of the Behar landlord to sell his tenant and the produce of his land to the highest bidder and to the stranger, and it seems more than absurd to me, who have been behind the scenes for the last twenty-two years, to bear the landlords hemeaning the fate of their ryots, if tenures are made transferable by law. (3) The custom of sub-letting is a very ancient one, and not nearly so injurious to the people and the country as one would imagine. Certainly it would be very desirable to check sub-letting at a rack-rent if it were possible to do so, and when there is a correct record of rights this evil may be checked. But as it stands at present sub-letting is practised in every village in Bengal and Behar, and surely it is wiser to acknowledge this custom in the new Rent Bill than to entirely ignore it. I would ask these gentlemen who are really interested in the subject of the Bengal rent law, to get a copy of the Report of the Indian Famine Commission, Part II, and carefully read pages 117 to 121. It will appear from a perusal of these pages that far more drastic measures than those proposed by the framers of the Bengal Tenancy Bill would have met with the approval of the Famine Commissioners. I am myself a large *ticcadar* (contractor of villages) and landholder, so I cannot possibly disassociate my own interests from those of the Behar zemindars. Any measure which injured them would affect me in the same manner. True, I shall have to keep a correct record of rights, and so on, which will entail a much heavier outlay in estate management. But I fully recognize the necessity of all this. In the words of Sir Stuart Bayley—"The new law will enable the ryot to maintain his rights of occupancy, to hold his land subject to fixed conditions of tenure; to be certified exactly of the amount which he will have to pay for it annually; to resist illegal distraint, illegal cesses, and illegal enhancement; to have at hand a trustworthy record of demands and payments." On the other hand the zemindar will be given the power to realize punctually from the ryot his just rent. The following statement of a zemindar in the Gya district clearly points out the existing state of affairs which Government intends to improve:—"The law entitles the Behar ryot to a *pottah* (lease) and receipts; yet he seldom if ever gets any. The law declares that the exaction of *abwabs* (unlawful cesses) is illegal; yet how numerous and heavy are the *abwabs* that we zemindars exact from him. His *mourooses* (occupancy) tenures are altogether exempted by law from liability to enhancement; yet, how at each change in and transfer of the zemindaree, and how easily when he sets up his head against us, we, without regard to law or justice, add something to it every year. The law protects him against ejection; yet how

"often without any opposition from him or without resort to law and  
 "procedure we turn him out of his and his father's land. It is an  
 "illegal and a criminal offence to extort rent from him by duress;  
 "yet our *goomastahs* and *barahils* (rent collectors) go and sit at the  
 "door of his house preventing egress and ingress, and deprive him of  
 "the use of our village wells until he pays off our rents; and how  
 "frequently for the same purpose we bring him to our *kutchery* (office)  
 "and detain him there against his will until he satisfies our demand.  
 "The law has guaranteed to the ryot every right in property and  
 "every facility to enjoy the fruits of his labour unmolested; yet  
 "meekly and quietly he submits to all the indignities and ill-treat-  
 "ment to which the zemindar subjects him, and suffers his rights to  
 "be thus infringed; and he seldom if ever thinks of going to court  
 "for relief—the cause of this being the terrifying influence exercised  
 "over him by the *bosta* (bundle of cooked accounts) of the *putwari*  
 "and *goomastah*." Now, my Lord, I solemnly declare that there is not  
 "one word of exaggeration in the statement I have just read, which  
 "in a few sentences reveals a horrible state of oppression and misery.  
 "(Hear, hear.)

Mr. HENRY STEWART REID (late member of the Board of  
 Revenue, North-West Provinces): My Lord, Ladies, and Gentlemen,—  
 When I preface the few remarks I have to offer by telling you that I  
 have not served in Bengal, it may reasonably be asked, "What do you  
 "know about the subject, and what title have you to speak on it?"  
 I should therefore explain that I was a member of the Committee  
 which drafted the North-West Provinces Revenue and Rent Acts,  
 and that for thirteen years (from 1868 to 1881) I had to supervise  
 the working of the North-West Province Rent Law. (And here I  
 may state, with reference to some remarks which fell from the last  
 speaker, that an experience of thirty-five years leads me to concur  
 entirely in the paper which my friend, Mr. Lethbridge, has read to  
 us.) The North-West Provinces march with Behar, and in its  
 permanently settled districts the land is held on much the same  
 tenure as in that province. I have had to deal, on appeal, with those  
 tenures and with the rent cases that have come up from those districts.  
 My Lord, can any man lay his hand on his heart and affirm that the  
 Bill which we are now discussing is not a one-sided and partial  
 measure? I do not care to use hard language, but I must assert that  
 the Bill makes a "dead set" at the landholder. My sympathies have  
 always been with the tenant as much as with the hereditary land-  
 owner; but I am not one of those who approve of robbing Peter to

pay Paul, and that is what the Bill proposes to do, as Mr. Lettbridge has clearly shown. There are two provisions in it which are especially mischievous. The first relates to the extension of the area held by occupancy tenants; the second, to the transferability of the right of occupancy. Mr. Ilbert, in his "Statement of Objects and Reasons," tells us that even now ninety per cent. of the tenants in chief, the tenants who hold under the zemindars, the landholders, have tenures with right of occupancy. I have heard of cases where the zemindars have been unable to assign, on their own estates, land to their own sons to cultivate, the arable area being taken up by occupancy tenants. What does this Bill propose to do, but to make every tenant at will holding under the landowner, a tenant with right of occupancy? If a tenant cultivates land under a zemindar for but one season he acquires, under Sec. 90 of the Bill, right of occupancy in regard to that land as completely as if he had held it for twelve years—with this one difference, that his right of occupancy is not transferable. The question of the transferability of the right of occupancy was very keenly discussed in the North-West Provinces in connection with the Local Rent Law. The High Court ruled, in a particular case, that under the provisions of that law, the right of occupancy might be transferred to the proprietor. The Board of Revenue, going on the words and the spirit of the Rent Act, held that the right was heritable, but not transferable. The matter was brought before the Government, and the wording of the law was so amended that its restrictive provisions could not be misread. Mr. Roper Lettbridge has read to us the "bland remark" (as he rightly terms it—and it does seem to me to be hardly suited to the gravity of the occasion) in the "Statement of Objects and Reasons:" That "the power of transferring" which the Bill recognizes, may, in time, lead to a state of things in "which the great bulk of the actual cultivators would be, not occupancy-ryots, but under-ryots, with little protection from the law, is indeed within the range of possibility." I venture to assert that that most disastrous result is not only within the range of possibility, but that it is within the range of certainty. (Hear, hear.) If those objectionable provisions are retained, the old occupancy tenant will be improved off the face of the earth, and in his place we shall have the land-jobbing money-lender. We all know that the ryots are very often deep in the money-lenders' books, and we also know that the money-lenders' are frequently devoured by a great land-bunger, and that they seize every opportunity of acquiring rights in land. They make infinitely worse, and far more grasping and hard landlords, than the old landowners, between whom and their tenants there are

often ties of family, and of friendly association, which have existed for generations. Can there be any doubt but that, if this Bill passes in its entirety, the last state of the ryot will be worse than the first? In conclusion, I claim for the opponents of the Bill, who object to the confiscation of the rights of the landowner, as large and deep sympathy with the ryots as the advocates of the Bill can claim; but we do not consider that justice can fairly be done to the one party by doing injustice to the other. I trust that the Bill, as it stands, will never pass, for it will bring ruin alike on the landowners and on the tenants holding under them. (Cheers.)

MR. ARTHUR KNATCHBULL CONNELL: My Lord, Ladies, and Gentlemen,—In the course of this discussion one point has particularly struck me, and that is that the opponents of the Bill and the advocates of the Bill have really never joined issue. It seems to me forgotten what an enormous stretch of country Bengal is. The population of Bengal is, I believe, according to the last census, sixty-six millions, while the area is fifty-four million acres; that is to say, that Bengal is very nearly as big as England, including the Channel Isles, and Scotland, and the population is more than double. Now, supposing any person was, in the case of England, to argue that, because the peasantry in Guernsey and Jersey were in a prosperous state, therefore the crofters in the North of Scotland were prosperous, should we not immediately scout such an argument and say, "You are treating of two different parts of the country with two different populations under entirely diverse conditions." That seems to me to be the case with regard to Bengal. We have on the one side one set of people—take Miss Florence Nightingale, for instance—quoting evidence to show that the ryots are very much oppressed, that the most monstrous kind of contracts are forced upon them, and that illegal cesses are exacted from them; and on the other hand we have other people quoting from the Administrative Reports of Bengal to prove that the Bengal ryot is in a most flourishing state. Mr. Lethbridge has done the latter. But it seems to me that most of this evidence, both the evidence for and the evidence against, refers to different parts of the country. For instance, Eastern Bengal is not the same as Behar generally, nor is South Behar the same as North Behar. There seems such a remarkable want of facts brought forward originally by the advocates of the Bill, and certainly by its opponents, that an outsider can hardly make out what the facts of the case really are; but what strikes me, on considering the evidence adduced, is this: that in North Behar the character of the people and the agri-

cultural conditions are wholly different to those in South Behar, and still more to those in Bengal proper. Now, I believe I am right in saying that the population in North Behar is Hindu. It is much more Hindu than the population of South Behar, and the population in North Behar is much the same as the population in the districts of North Behar. Lately I was reading the Settlement Report (and I believe it is one of the best Settlement Reports that exists) of Azimghur and Goruckpore, in the North-West Provinces. Taking the evidence of that Report, and judging from what I can learn about North Behar, I came certainly to the conclusion that the population is very similar, and that what has happened in North Behar is, that there are not now so many village communities or small cultivating proprietors as there are in the North-West Provinces, and that those village communities have had their rights and the record of their rights lost owing to the neglect of the Bengal Government—partly owing, too, to what I may term the monstrous example set by the Court of Wards. The Court of Wards is a sort of Court of Chancery that looks after the estates of minors, and it has had, as has been mentioned, certain estates under its control during the last twenty years. We know that the Bengal famine did not take place in South Behar, but in North Behar, to a very great extent. In Sir John Strachey's "Finances of India," at page 738, there is a quotation from the resolution written in 1880 by the Lieutenant-Governor of Bengal, Sir Ashley Eden. That resolution, after stating that the estates of the Maharajah of Durhhangah, situated in Mozufferpore, Bhagulpore, Purneah, Tirhoot, and Darbhanga, had been much improved by the supervision of the Court of Wards, goes on to say: "Granting all this, there can be little doubt that the cultivators are suffering from the same causes which, in a long course of years, have reduced the peasantry of Behar generally to a lower position than that of the ryots in Central and Eastern Bengal. There has been in years gone by, under the Court of Wards, the same kind of rack-renting, the same unwillingness to recognize occupancy-tenures, the same resort to illegal restraint that have been found in every district of Behar." And soon this evil was so well-known that at last the Government had to send Mr. Finucane, c.s., to re-adjust the rents on the *raj*. Therefore it seems to me that in Behar the Government itself, through the Court of Wards, has set a most evil example to the zemindars, and, further, I believe that to a large extent, the famine in North Behar was due to the indigo-planters. I was very glad to hear from the mouth of an indigo-planter, that he was quite willing to assent to any measures which might benefit the ryot, but from reading the Reports on Indigo



Plantations in places in South Behar, and now in North Behar, I do not believe that indigo-planting has there been beneficial to the ryot. The indigo-planter has induced the zemindar to give him leases which were not advantageous to the ryot, which bound the ryot to grow indigo instead of rice, and which, of course, have been, as all contracts are, upheld by the Government. That, I believe, has had a disastrous effect upon that part of India. If it be said that indigo planting brings capital into India, and that the natives cannot conduct indigo-plantations themselves, I say that that is false. In the North-West Province a great deal of indigo-planting is done by the natives themselves, and they carry on the business just as well as Europeans. There seems to me to be a great deal of evidence to show that in North Behar there is a necessity for a Rent Act of some nature which shall record and protect the rights of the ryots. There were not very long ago, I believe, if there are not now, Hindu village communities. They still exist in the North-West Province—in that part of the North-West Province which marches with North Behar. But at the same time, I believe—as far as I can make out the pros and cons of the measure—there are certain great flaws in this Rent Bill. It seems very doubtful whether to grant transferability of the occupancy rights is at all sound policy, arguing from experience in other parts of India. However, assuming that it is necessary for this part of Bengal to have a Rent Act, I still think that all the advantages of such an Act may be entirely lost if the Government is going to interpose to break down the permanent settlement which was made with the zemindars. No one, I think, who has read the Indian papers, *The Pioneer* and the newspapers in the North-West Province and other parts of India, can fail to come to the conclusion that there is a very strong movement indeed in India outside Bengal to try and get a larger amount from the Bengal zemindar which it is imagined has been entirely lost to the Government. I believe, owing to the number of sub-tenures which now exist in Bengal between the ryots and zemindars proper, that it would be almost impossible, without inflicting great suffering, to increase their taxation; and if the Government are going to do that—and they seem to have a covetous eye on every source of income—all the benefits of the protection which ought, I believe, to be given to the North Behar ryot, will be entirely lost. (Hear, hear.)

MR. CECIL MAURICE CHAPMAN: My Lord, Ladies, and Gentlemen,—I think no apology is due for our holding a discussion of this kind, because, in my opinion, all possessors of property if they differ in degree do not differ in kind, and if there is truth in the statement

that in this Bill there is an attack upon property in Bengal and Behar, all holders of property are attacked by the Bill. I think, therefore, that no opportunity of protesting against such a measure as this should be lost. Of necessity, legislation in India is as a rule rather the precursor than the consequence of public opinion, and in dealing with this measure we are considering not so much the wishes of the ryots themselves as the ideas of certain members of the Council as to what those wishes ought to be. If I am correct in making that statement, then we may be hopeful that any expression of dissent—and I call on all persons who have such a feeling of dissent from this Bill to express it—will not be made in vain. Of course the fundamental ideas of that Bill are simple and intelligible enough, and of late years we have become familiar enough with them; but there is one reason why in this particular instance those ideas should be most vehemently opposed, because they are based on fallacious assumptions which are entirely without parallel. The first and fundamental assumption upon which this Bill is based is this: that all the mischief in regard to the land question in India is due not to the conduct of particular individuals in the class of landlords, but to the relationship between landlord and tenant. That is an assumption which no one hitherto has ever attempted to prove, and which I defy anyone to prove. It amounts to this, that all the evils which have been enumerated in the pamphlets published upon this matter are traceable to that relationship. If you read the literature of this subject you will find that there is nothing attacked by it except the conduct of certain individuals in certain places, but when it comes to legislation the individual conduct is omitted and the relationship itself attacked. Mr. Cobden was the first to try to make prominent that one idea that all the evils connected with land were due to the relationship between landlord and tenant. He said that he would not cease until he had proved it to demonstration in England. We know that Mr. Cobden failed to fulfil his purpose, and that the idea has never yet been proved in this country. But it is urged against us that it has been proved in Ireland. I deny that proposition. The Land Act in Ireland is still in the stage of experiment. We do not yet know that the cause which induced the Government to introduce the Irish Land Act was in reality the mischief which it pretended to remedy. But Ireland is not India, and it seems to me, in reading the evidence upon this question, that it all goes to prove that the cause of the mischief is to be found in the conduct of certain individuals for whose sins a whole class is to be made to suffer. Then there is a second assumption, and it goes to the root of the matter, for the advocates of this Bill maintain

that upon it the utility and justice of the measure depend. It is this: they assume that a fair rate of interest and a fixed rate can be made at the same time for a whole district. Now if you attempt to make a fixed rate of interest at once and a fair one for an ever-varying species of property, you will find such a thing is an impossibility. Not only do I say so from considering generally the probabilities of the case, but I say that it is a proved impossibility in India, upon the experience of at least one hundred years. There is no one who has attempted to deal with this question in India who has not found that to be an impossibility. If I am right, then we are leaping in the dark when we are acting upon such an assumption, and the apparent justice of this measure is either an impossibility or a sham. There is another assumption which I would allude to, and that is as to the effects of this Bill. It is assumed that the consequences of this Bill will be most beneficial to the ryot, because it will completely change his character. Upon what foundation does that assumption rest? Upon the inauguration of the framers of this Bill. (Hear, hear.) Everyone who has read of the character of the Bengal ryot knows that it varies in different parts of the country that is dealt with. And it is urged by the supporters of this Bill that because the ryots in some parts of Bengal have been able to obtain certain rights, therefore those rights should be extended elsewhere—as though it was not an argument that the character of the individuals in question was the real gist of the matter, and that where ryots had the characteristics of independence and manliness the zemindars have not been remiss in allowing customs to grow up which give those rights which this Act is intending to force upon both classes against the will of either. If that is so, I think the arguments of my opponents in this matter are turned against themselves, and the fact that this custom of occupancy right is already conceded, may be cited in favour of the zemindars as showing that where they find that the ryot is a person who will be benefited by the custom, and that it will be beneficial to both parties, they always concede it. But it is further urged by the advocates of the Bill that, assuming that we cannot tell what is going to happen, assuming that we are running great risks by the Bill, still it is useful as an experiment. On that question I will only say this, and the experience of history confirms it, that experiments in politics are the frequent source of revolutions. (Hear, hear.) It is also denied that the consequences of this Bill will be such as have been predicted with regard to money-lenders. Upon that I should like to quote a few words of Mr. Charles Russell's upon the same matter in Ireland. He says: "The banks (which we may take to represent the money-

“lenders in the case of India) seem soon to have appreciated the fact that the law had given the tenant a property which, whatever it might have been in equity, was not legally his before.” And after describing the consequent loans and the exorbitant rate of interest, he concludes thus: “When the loss of the day upon the original transaction, and the renewal transaction, together with the expenditure upon eating and drinking which the obliged borrower is bound to make are taken into account, it will be seen how speedily a debt so contracted runs up, and upon what unfavourable terms the loan is transacted.” I would say, in reference to that, that if that danger has been proved to exist in Ireland, surely it is an obvious danger in India, where it is proved to all who knew the country by the custom of centuries. I would say one word with regard to the injustice of this measure. I am convinced of that injustice by the very arguments of the approvers of this Bill, because they are in the nature of excuses which are contradictory. It is obvious that for the sake of enlisting sympathy the approvers of this Bill have exaggerated both the wealth and the wickedness of the zemindars. And they seem to say: “We cannot give you compensation in this matter because we deprive you of nothing;” but almost in the same breath they add: “We are bound to deprive you of these rights that you have now over your lands because you have exercised them so badly.” Either one or the other of those reasons must be untrue. It is unnecessary to do more than to refer to the paper which Mr. Lethbridge has read to us in regard to the words used in the Permanent Settlement, and in the official reports which followed upon it, to prove that the first excuse is untrue—and that something definitely promised and given, even if it had not been acquired by prescription, has been taken away. And with regard to the second excuse, the absence of any evidence, or attempts to bring forward any in its support, is to my mind conclusive proof of the impossibility of finding it. In conclusion, I regard this measure, as it has already been described by a previous speaker [Mr. H. Stewart Reid], as a measure which is obviously an attack upon a single class; and as such to be deprecated. It is also an impossible attempt to prevent a growing class from natural results of its own improvidence in one direction only. Such evils can only yield to time and to education, and all attempts to make men more moral and more careful of their own interests by an Act of Parliament, have been proved an impossibility. The Government, in fact—if I may use the simile—in passing this measure, is like a shepherd who, having discovered that a single dog has taken to worrying the sheep which it ought to protect, is determined for the future to have nothing

at all to do with dogs, forgetful that in so doing he is leaving his sheep to the wolves. If this Bill is passed in its present form—I mean even with compensation—it cannot be otherwise than a dangerous and unjustifiable experiment; but if it is passed without compensation, it will be undoubtedly an obvious injustice. (Cheers.)

Mr. KRISHNALAL DATTA: My Lord and Gentlemen,—If the learned lecturer, whom I honour and respect, had taken an impartial view of the Bill, he might have saved me from the volcanic eruption of party spirit and a jealousy which has almost bewildered me. I have no time to criticize all the details of the paper, but I should like to say a few words on the quotation in the paper from a report of Sir Ashley Eden, made in the year 1877: “I find them now as prosperous, as independent, and as comfortable, as the peasantry of any country in the world; well-fed, well-clothed, free to enjoy the full benefit of their labour, and able to hold their own or prompt redress for any wrong.” Well, I wholly deny the truth of this statement with my heart and soul, although I honour Sir A. Eden, and I declare that Her Majesty’s subjects in India are not well-fed and well-clothed; they are hungry, they are famine-stricken. (“No, no!”) I am as much interested in the Bill as any man, and I sympathize with the zemindars of Bengal. But I ask the defenders of the zemindars, Is it not true that they levy new taxes justified only by dark despotism? Do not they impose and enforce extra payment in time of marriages? Do not they exact *salami*? Do not they demand crushing rents? Do not they fine the tenants? These they do because they know that the tenant’s land and means of his daily sustenance are completely under them. What do these describe? They describe unthatched hamlets—decaying; woe and misery printed on the countenance; waning prosperity, harrowing poverty, and agonizing despair; desolate, cheerless homes, cold hearths, scanty board, heart-broken house-wives, tattered raiment, squalid, hungry children. I groan in spirit over this sad recital. I appeal to this meeting to consider what it is. I speak to holy England—thrice holy from the blood of the martyrs which has been shed for the cause of the labouring class of this country—to protect the poor. I appeal to the citizens of the United Kingdom, by the blood of Pym and Hampden, who sacrificed their lives to save the labouring millions from despotism—to vindicate the glory of freedom. They speak of their powers, my Lord (here the speaker, putting his finger on the quotation on the cover of the paper, held it “before the audience): “Our rights, our social position, nay, our very “means of living are at stake.”—*The Hon. Maharajah Sir Jotendro*

*Mohan Tagore, K.C.S.I.* I look with scorn on selfish greatness and with pity on the most gifted and prosperous who advocate for the power of the rich trampling down the poor millions under the feet. The powers of the zemindars has rained many a "sweet Auburn." I ask you to look at the sacked and burnt villages. I ask you to look at the criminal courts of justice. I ask you to look at the sorrowful parents by the death-bed, watching with maddening agony the last moments of their darling—ragged and hunger-pinched. I ask you to look at the decorated and illuminated halls of the zemindars—the love-cup sparkling, the "hurrah" and the loud laugh, the borders of dancing-girls which have been hired by wringing the bread-money of the hungry and distressed. I speak in condemnatory language about the landlords, because I think it to be deserved. They are influential and strong in the country. Many of my friends do not speak out in favour of this Bill—though they like the Bill—because they are afraid to displease the grandees. But I do not fear their displeasure, for I speak for justice—I speak for the material welfare of my country—I speak to relieve the suffering of the thousands now living, for the millions now unborn. The displeasure of the zemindars, many of whom are my friends and associates, is a very heavy blow to me; but I do not repent if I sink under the blow. This only will be my mortification—that on such an altar a more illustrious victim has not been sacrificed. The people of England do not know the condition, the injustice daily perpetrated on the poor ryots. I am determined to take every opportunity to speak to the English people of the sufferings of the down-trodden millions of the country. I appeal to you, the synod of the Christians of England—I appeal to men of every shade of opinion, whether Conservative or Liberal, to support Lord Ripon in his attempt to protect the helpless ryot from the oppression of the zemindars. (Cheers.)

Mr. W. MARTIN WOOD: My Lord, Ladies, and Gentlemen,—It is impossible at this hour to make any due reply to the long and elaborate paper which we have had read, but we can at any rate look at the character of it and describe what it is. In the very title you will observe there is a foregone conclusion, and it comprises a prejudice in its terms. This bias is further emphasized by the quotations given as mottoes to the paper. Extracts are quoted from the petitions of those persons who are keenly interested as a class in the view taken in the paper. There is also an extract from the minute of Sir Richard Garth, who, in that declamatory diatribe of his against the Bengal Rent Bill, has effectually settled his own position as a

jurist. This paper is a statement of a case, and only as such can it be regarded. Just consider who are the parties. On the one side you have the strong, the wealthy, the well-organized, and those who have the ear of the public; on the other you have the weak, the incohesive ryots and cultivators, who have no exponents except the Government of India itself. And with regard to the general tendency of things in Bengal, all the power of the courts, and the leaning of our own officers in interpreting the different Acts that have been passed, tend in favour of the strong party, the zemindars, and this paper goes wholly in the same direction. The present Lieutenant-Governor of Bengal recently said that he regarded this Bill as an honest effort to settle and to harmonize the difficulties that have arisen amongst the classes concerned. I would remind you, with regard to the history of the present measure, that it has been spoken of as though it had been conceived suddenly by Mr. Ilbert. All through this paper, and in the course of the discussion to-day, we have had Mr. Ilbert's name and that of Lord Ripon repeated with wearisome reiteration. That of course is part of the plan on which the paper is constructed, and the object is obviously to create prejudice. What other significance is there in the name of Mr. Ilbert? He might just as well have been Mr. Robinson or Mr. Smith or anyone else. Mr. Ilbert happens to be the legal member of the Governor-General's Council; and had any other gentleman been at this moment the legal member of the Council, he, and not Mr. Ilbert, would have introduced this measure. The steps which have led up to this Bill were commenced in the time of Lord Lytton; the inquiries commenced as long ago as the Punjab riots of 1873. It was then seen that the law must be altered. The then Lieut.-Governor, Sir George Campbell, began with the subject, and Sir Richard Temple, his successor, was about to take the matter up, but the famine intervened. Then, the next, Sir Ashley Eden, advanced the matter so far that a Bill was drafted; but the interest of the zemindars were always to the front, and they always managed to have their wishes complied with, so that Bill was directed to secure a better collection of rents. Here I may recall that the Act of 1859 was the first serious attempt that was made to control the overwhelming power of land monopoly in Bengal as held by the zemindars. That Bill did not succeed in fulfilling its purpose because its working was overborne by the powerful class influences to which I have alluded. But to revert to the later period; the select Committee appointed to examine Sir Ashley Eden's proposals reported that the whole subject must be gone into, that the interests of the cultivators must be considered; and that was the origin of this Bill. Another

commission was appointed, and the facts they collected bearing on the ryots' position could not possibly be ignored. It has been said to-day that there is no complaint against the Permanent Settlement and its working, whereas there has been no cessation of complaint and protest. I will just quote from a document which I do not think has been published in England at all. It is not from the one quoted in Miss Nightingale's paper; it is the Ryots' Petition adopted at a meeting at Howrah early in 1880, and I think you will see that in the paragraph I will read there is a case, and a very strong and comprehensive case, made out for legislation, and also for that broader interpretation of the Permanent Settlement which this Bill embodies. You speak of keeping faith and solemn pledges: but the pledges were not all on one side. (Hear, hear.) They have been kept by one side, and not by the other. You appeal to the "sense of justice" and so on, but that is exactly what the framers and supporters of this measure do—

The CHAIRMAN: What pledges have been broken by the zemindars?

Mr. W. MARTIN WOOD: My Lord, I will just read this paragraph, as it is the best reply I could make to your Lordship's question:—

"We, her most gracious Majesty's most humble servants the ryots of Bengal respectfully submit to your Honour that the Rent Commissioner, at page 464, finds that, either wilfully or by erroneous interpretation of the law, we ryots have been defrauded, at the lowest computation, of 165 millions sterling by the zemindars, and in accordance with the arrangements made by the zemindars with the Government in the original rules of the Decennial Settlement, subsequently confirmed in the Permanent Settlement. The zemindars should refund this amount to the ryots; and, as it is impossible to restore his share to each individual, that the Government receive, take charge of, and invest it in the public funds for the benefit of the nation. 'For a repetition of the offence, or in a notorious case, the farmer's lease was to be annulled.' Consequently, every zemindar's lease is liable to be annulled. We humbly submit that unless one of the zemindars is deprived of his zemindary the zemindars will not believe in this law, and their oppressions will continue. Therefore we beg that Government will, of its goodness and sense of justice, carry out the majesty of the law with respect to one only of the zemindars who has behaved badly in this respect, oppressing the ryot against the tenour of his Kabulyot. The collectors should visit every zemindary in his charge, and if the zemindar is oppressing the ryots then he should be removed."

That paragraph is quite sufficiently explicit as to there having been no complaints. Mr. Lethbridge objects to the figure of 165 millions; and it is undoubtedly a very big sum; but you must remember that



the difference between the rent paid by the zemindars to whom the Perpetual Settlement was granted, and the rent they now derive, amounts to from eight to ten or twelve millions a year; so that a total of 165 millions is really a very moderate estimate. The statements in the petition from which I have just given you this extract distinctly show that there is abundant justification for some such measure as the one now waiting to be carried. (Hear, hear.) I have said that this paper read to-day is entirely a case stated on one side. It does it very cleverly, very skilfully, but I cannot say fairly—ingeniously, but not ingenuously. By way of contrast and comparison I would refer anyone for a fair and impartial examination of the whole measure to an article in the September number of *The Nineteenth Century*, by Syud Ameer Ali, a Mussulman gentleman of Bengal. And, my Lord, I ask leave to read his concluding paragraph, because it sums up admirably all the circumstances of the present position of the Bengal land question.

Mr. J. DACOSTA : It is an inspired article.

Mr. W. MARTIN WOOD : Inspired ! What does that mean ? I take it as inspired only by the man's own honest view of the matter as a native of India and an impartial writer. We have before had these insinuations about official inspiration ; but it seems to me that they come with very bad grace from a party which has such powerful advocates and supporters in the English press. We see how powerful that party is by this skilful and clever paper of Mr. Lethbridge's, and by the profuse way in which this meeting has been advertised. (Hear, hear.) The opponents of this Bill are the people who have every advantage on their side in misleading English public opinion on this subject ; but I trust the public will hold their judgment in suspense and hear the other side. This is the conclusion of Ameer Ali's article, and I say it is a very fair summary of the condition of things :—

“ As regards the zemindar's demands, the obvious answer is that no Government in the world can afford to hand over one class of its supporters to another, or subordinate the one to the other, so as to lead to serfdom. It is the duty of every well-organized Government to guard the interests of all sections of the community. Ninety years ago the Legislature made a blunder in not defining the mutual rights of the zemindars and ryots. After the lapse of a period close upon a century, it has awakened to the perception of the dangers involved in allowing any longer such rights to remain undefined and indeterminate. Because the Legislature did not define the rights of the tenants before, it would be absurd to say that those rights are

non-existent. Nor can the Government pay any heed to unreasonable demands on the part of the ryots. All that the ryots can justly claim is to be assured of their holdings, with reasonable security against capricious encroachment and illegal enhancement. The new Rent Bill represents an honest endeavour on the part of Government to furnish a satisfactory solution for some of the difficulties, and to place as far as possible the mutual relations of the two parties to the present question upon a definite and intelligible basis."

But I should just like to refer to one other point—that is, to those portions of Mr. Lethbridge's paper in which he contends that the Bill is likely to transfer the ryot's rights to the money-lenders. (Hear, hear.) In that I fully concur with Mr. Lethbridge. I entirely dissent from any provision which will place the land in the hands of the money-lenders—(hear, hear)—but I do not suppose for one moment that the clauses which are referred to will ever pass into law. (Cheers.)

Mr. JOHN DACOSTA: My Lord, Ladies, and Gentlemen,—The Bengal Tenancy Bill is said to be the outcome of a Liberal policy; but how can that be when it violates the most cherished of Liberal principles? A Liberal policy upholds justice; but this Bill would inflict an undeserved wrong upon a class whose unswerving loyalty and valuable services—especially at critical times, such as the mutinies of 1857, and the more recent scarcity in Behar—have repeatedly been acknowledged by the Government of India. A Liberal policy professes to be based upon honesty; but this Bill proposes that the Government, who has sold the land with its proprietary rights solemnly proclaimed, should dispossess the purchaser of such rights, without refunding the price received for them. A Liberal policy is said to rest upon truth and good faith. Are we to look for truth and good faith in the statement now made that the zemindars are not the proprietors of their estates, when the British Government has for a whole century repeatedly and solemnly declared the contrary, and its declarations have throughout been sanctioned by the Legislature and upheld by the law courts? Are we to believe that those solemn declarations, and their confirmation by the highest authorities in the land, were all false? Are we to seek for truth and good faith in the specious arguments set up in support of this unprincipled measure? The Bill has been represented as forming an essential part of Lord Ripon's policy. As a matter of fact, however, the Bill was initiated six years ago, when Lord Ripon had no connection with India. The Bill proposes to improve the position of the ryot or cultivating tenant, and this plea has gained for it the support of a very large class in this country. But the plea is entirely delusive. The inevitable result of the Bill must be to deprive

the cultivator of the security he now enjoys against an undue enhancement of his rent, and to leave him, without any special protection from the law, to the mercy of the middlemen whom the Bill proposes to create and destines to become the future landlords of the cultivators. Party feeling may have obscured for some the real issues of the measure; but let us hope that independent men will carefully examine the clauses of this extraordinary Bill, before they decide whether to give it, or to withhold from it, the weight of their sanction.

Mr. A. ARATHOON: My Lord, Ladies, and Gentlemen,—Before I address any remarks of my own to you, perhaps I ought to pay a tribute of respect to the exceedingly able and exhaustive paper that has been read upon a subject which I must confess seems to me a most difficult and intricate one. There is one view only which I wish briefly to put before this Association, because it seems to me somewhat to have escaped notice, and in some measure to act as an apology for the conduct of Mr. Herbert and Lord Ripon with regard to this measure, although at the same time it is a view which inclines me to oppose the Bill from considerations purely of political economy. The main provisions of the Bill, which are sure to be discussed by those who are in favour of and those who are against it, the conditions, in fact, which threaten to revolutionize the condition of things at present existing with regard to land tenure in India are—(1) The destruction of freedom of contract; (2) the giving of occupancy-rights to ryots, and (3) the giving of those rights, even in cases where the ryot possesses only a small portion of land, and giving it for exaggerated and enlarged tenures. These are the very provisions which incline me to think that that which the Legislature had in view in proposing this Act was a condition of tenant-peasantry. We know that the idea prevails in political circles pretty nearly all over Europe now, that the best way in which the land can be held for the advancement of any country is its being held by peasants who are at the same time tenants—by what is called tenant-peasantry. It seems to me that that is a point which, though it might possibly answer admirably in parts of the Continent, and might possibly answer in future in Ireland, is one which would not answer at all in India under the present circumstances. The reasons why I think that this is what the Government of India have tried to bring about by this Bill are, firstly, that in order to bring about any such circumstances as these you must destroy freedom of contract to a certain extent. You must put it out of the power of the tenant to be able to contract himself out of his occupancy-right; and I find that provision in this

Bill. Then, you must give the tenant a certain occupancy-right; I find that occupancy-right given. Not only is that occupancy-right given, but it is given in the most stringent manner possible to the tenant, and, therefore, I come to the conclusion that it was the intention of the Indian Government in this case to create in India a species of tenant-peasantry. The reasons why I think that the creation of a tenant-peasantry, such as that contemplated, would be injurious to India, are as follows:—In the first place I oppose it because I think that it would be injurious to the tenant, at any rate at present; and secondly, I think that it would not effect the object that is aimed at. If you want to create a peasant-tenantry, you must make the occupancy-right that you give to the ryot inalienable. Now the right of occupancy given to the ryot by this Bill is not inalienable; he can alienate it to anybody except to the landholder. I consider the condition of the peasant in India to be such that, as long as you give him a right which he can alienate, the conditions of his existence are so precarious that he is sure, sooner or later, to alienate it. Therefore you do not create that which you have in view; you do not create a peasant-tenantry at all; you merely rob the landholder of a right which he now possesses. You give a certain right to the tenant and you merely enable him with greater facility to dispose of that right to a third person—to a class of persons who, in my opinion, will not hold that right to the advantage of India to the same extent as if that right had been retained by the tenant or, in the absence of the tenant, by the landlord. Had the right of occupancy, which is given to the tenant by this Bill, been made inalienable in all circumstances, i.e., had it been made personal to the tenant who acquired it, and, in the event of his being obliged to sell his tenancy, forfeited altogether, then I should have said there was a substantial attempt made on the part of the Government to create a peasant-tenantry, because the result would have been this:—The ryot would have felt, from his occupation, that he was more than a mere tiller of the soil—that he had an interest in the soil. At the same time, those surrounding the ryot would not be tempted to get hold of the possession of that ryot, because they would not be able to get all the incidences and advantages of the ryot, but would simply be in the position—in which the ryot at present is—of tillers of the soil. For these reasons I say that this Act is defective, because, while it gives something to the ryot, it does not give it in a manner which would enable the ryot to enjoy the benefit of the Act. Further, it seems to me that it is a very moot point indeed—it is admitted to be a moot point in political economy whether tenant-peasantry is best for any

country; but admittedly it can only be the best means of possession of land in a country in which the tenantry are in a more or less civilized and enlightened condition. Those who have studied the question know as well as I do, that if the land is to pass from the large landed proprietors into the hands of small peasant-tenantry, that peasant-tenantry must be in a position, financially and intellectually, to exercise that power to the best advantage in the cultivation of the soil. (Hear, hear.)

Mr. ROPER LETHBRIDGE: My Lord, Ladies, and Gentlemen,—At this late hour of the evening I do not think that any reply on the arguments that have been advanced would be necessary in any case. And really that is rather a convenient thing, for I confess I have been unable to discover any solid arguments against the paper which I have read this afternoon in any of the speeches that have been delivered. It is true one speaker, Mr. Martin Wood, made a speech of some length, in which he objected to the title of the paper as showing a foregone conclusion on the part of the writer. That, I confess, is perfectly true. My conclusion with regard to the Bill was formed most clearly before I began to write my paper. I was, however, pleased to observe that Mr. Martin Wood concluded his speech, which I supposed at first was in support of the Bill and against my paper, by saying that the Bill required a most important modification in its most important clauses. Well, with that I am quite satisfied. I have now only to ask you to join me in thanking our Noble Chairman for the able manner in which he has filled the chair during the discussion.

Mr. C. W. ARATHOON seconded the resolution, which was unanimously passed. The Chairman briefly acknowledged the vote of thanks, and the meeting terminated.

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